



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

साप्ताहिक
WEEKLY

सं० 42] नई दिल्ली, अक्टूबर 9—अक्टूबर 15, 2005, शनिवार/आश्विन 17—आश्विन 23, 1927
No. 42] NEW DELHI, OCTOBER 9—OCTOBER 15, 2005, SATURDAY/ASVINA 17—ASVINA 23, 1927

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत और पेंशन मंत्रालय

(पेंशन और पेंशनभोगी कल्याण विभाग)

नई दिल्ली, 4 अक्टूबर, 2005

का. आ. 3682.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए साधारण भविष्य निधि (केन्द्रीय सेवा) नियम, 1960 का और संशोधन करने के लिए, निम्नलिखित नियम बनाते हैं अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम साधारण भविष्य निधि (केन्द्रीय सेवा) संशोधन, नियम, 2005 हैं।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

साधारण भविष्य निधि (केन्द्रीय सेवा) नियम, 1960 की पांचवीं अनुसूची के पैरा 2 में क्रम संख्यांक (13) के पश्चात्, परन्तुक के पूर्व, उससे संबंधित विद्यमान प्रविष्टियों के स्थान पर, निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

“विपणन और निरीक्षण निदेशालय, कृषि मंत्रालय :

- (1) निदेशक (प्र.) विपणन और निरीक्षण निदेशालय, फरीदाबाद। सहायक कृषि विपणन सलाहकार तक निदेशालय के सभी समूह “क” अधिकारी जिनका वेतनमान 10,000-325-15,200 रु. है और प्रधान कार्यालय, फरीदाबाद तथा कृषि विपणन सलाहकार कार्यालय नई दिल्ली से संबंधित सभी समूह “ख”, “ग” और “घ” अधिकारी।
- (2) संयुक्त कृषि विपणन सलाहकार, शाखा प्रधान कार्यालय, नागपुर। शाखा प्रधान कार्यालय, नागपुर में समूह “ख”, “ग” और “घ” कर्मचारियों की बाबत।
- (3) प्रयोगशाला निदेशक, केन्द्रीय एमार्क प्रयोगशाला, नागपुर। केन्द्रीय एमार्क प्रयोगशाला नागपुर में समूह “ख”, “ग” और “घ” कर्मचारियों की बाबत।

- (4) भोपाल, चंडीगढ़, चेन्नई, क्षेत्रीय कार्यालय/उप कार्यालयों/ दिल्ली, गुवाहाटी, हैदराबाद, क्षेत्रीय एगमार्क प्रयोगशालाओं में जयपुर, मुंबई, कोच्चि और समूह "ख", "ग" और "घ" कलकत्ता में विपणन और कर्मचारियों की बाबत, जो उनके निरीक्षण निदेशालय के उप-संबंधित अधिकारियों के अधीन कृषि विपणन सलाहकार आते हैं। क्षेत्रीय कार्यालयों के भारसाधक

[सं. 20/3/2005-पी एंड पी डब्ल्यू (एफ)]

एम. पी. सिंह, निदेशक (पी.पी.)

पाद टिप्पण :—साधारण भविष्य निधि (केन्द्रीय सेवा) नियम, 1960, जो का.आ. संख्यांक 3000 तारीख 1 दिसम्बर, 1960 को प्रकाशित किए गए थे। नियमों का चतुर्थ पुनःमुद्रण (29 फरवरी, 1988 तक सही किया गया) द्विभाषी प्रारूप में लगातार प्रकाशित किया जाता है। नियम पश्चातवर्ती अधिसूचनाओं द्वारा नीचे उल्लेखित संशोधित किए गए थे।

1. का.आ. संख्या 2002 तारीख 2-9-1989
2. का.आ. संख्या 710 तारीख 4-3-1990
3. का.आ. संख्या 3006 तारीख 17-11-1990
4. का.आ. संख्या 3272 तारीख 8-12-1990
5. का.आ. संख्या 146 तारीख 20-3-1993
6. का.आ. संख्या 377 तारीख 10-2-1996
7. का.आ. संख्या 379 तारीख 10-2-1996
8. का.आ. संख्या 3228 तारीख 23-11-1996
9. का.आ. संख्या 826 तारीख 25-4-1998
10. का.आ. संख्या 2500 तारीख 5-12-1998
11. का.आ. संख्या 2690 तारीख 16-9-2003
12. का.आ. संख्या 1485(अ) तारीख 30-12-2003

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Pension and Pensioners' Welfare)

New Delhi, the 4th October, 2005

S.O. 3682.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the General Provident Fund (Central Services) Rules, 1960, namely:—

1. (1) There Rules may be called the General Provident Fund (Central Services) Amendment Rules, 2005
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the General Provident Fund (Central Services) Rules, 1960, in the Fifth Schedule, in paragraph 2, after

Serial Number (13), before the proviso, for the existing entries relating thereto, the following entries shall be substituted, namely:—

"Directorate of Marketing and Inspection (DMI), Ministry of Agriculture.

- (1) Director (A), DMI, Faridabad in respect of all Group-A Officers of the Directorate upto Assistant Agricultural Marketing Adviser whose pay scale is Rs. 10,000-325-15,200/-, and all Group B, C, and D Officers posted in Head Office at Faridabad and Agricultural Marketing Adviser's Office, New Delhi.
- (2) Joint Agricultural Marketing Adviser, Branch Head Office, Nagpur in respect of Group B, C, and D employees posted in Branch Head Office, Nagpur
- (3) Director of Laboratories, Central Agmark Laboratory, Nagpur in respect of Group B, C, and D employees posted in Central Agmark Laboratory, Nagpur.
- (4) Deputy Agricultural Marketing Adviser, Incharge of Regional Office of DMI at Bhopal, Chandigarh, Chennai, Delhi, Guwahati, Hyderabad, Jaipur, Lucknow, Mumbai, Kochi and Kolkata in respect of Group B, C and D employees posted in Regional Offices/Sub-Offices/Regional Agmark Laboratories falling under their respective jurisdiction.

[No. 20/3/2005-P&PW (F)]

M.P. SINGH, Director (PP)

Foot Note :—The General Provident Fund (Central Services) Rules, 1960, were published as S.O. No. 3000 dated 1-12-1960. The Fourth re-print of the Rules, (corrected up to 29-2-1998) have since been published in diglot form. The rules were subsequently amended vide Notifications mentioned below:—

1. S.O. No. 2002 dated 2-9-1989
2. S.O. No. 710 dated 4-3-1990
3. S.O. No. 3006 dated 17-11-1990
4. S.O. No. 3272 dated 8-12-1990
5. S.O. No. 146 dated 20-3-1993
6. S.O. No. 377 dated 10-2-1996
7. S.O. No. 379 dated 10-2-1996
8. S.O. No. 3228 dated 23-11-1996
9. S.O. No. 826 dated 25-4-1998
10. S.O. No. 2500 dated 5-12-1998
11. S.O. No. 2690 dated 16-9-2003
12. S.O. No. 1485 (E) dated 30-12-2003

सांख्यिकी और कार्यक्रम कार्यान्वयन मंत्रालय

नई दिल्ली, 19 सितम्बर, 2005

का. आ. 3683.—भारतीय सांख्यिकीय अधिनियम, 1959 (1959 का 57) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार एतद्वारा निर्णय करती है कि अधिसूचना संख्या एम-12011/7/96/ समन्वय/बजट एवं वित्त, दिनांक 28-2-2002 के तहत गठित समिति 30 सितम्बर, 2005 तक रहेगी।

[सं.आई-11011/1/2005-बजट एवं वित्त]

के. के. राय, अवर सचिव

MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION

New Delhi, the 19th September, 2005

S.O. 3683.—In exercise of the powers conferred by Section 8 of the Indian Statistical Act, 1959 (No. 57 of 1959) the Government of India hereby decides that the Committee constituted *vide* Notification No. M-12011/7/96-Coord/B&F dated 28-2-2002 shall be up to and inclusive of 30th September, 2005.

[No. I-11011/1/2005/B&F]

K. K. ROY, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली, 31 अगस्त, 2005

स्टाम्प

का. आ. 3684.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा लक्ष्मी विलास बैंक लिमिटेड, करूर को मात्र छह लाख चौबीस हजार रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त बैंक द्वारा जारी किए जाने वाले निम्न रूप से वर्णित बन्धपत्रों पर स्टाम्प शुल्क के कारण प्रभावी है—

- (i) मात्र अठारह करोड़ रुपये के समग्र मूल्य के वचनपत्रों के स्वरूप वाले 8.25% असुरक्षित विमोच्य गैर-परिवर्तनीय गौण बन्धपत्र (शृंखला-IV); और
- (ii) मात्र बारह करोड़ रुपये के समग्र मूल्य के ऋण पत्रों के स्वरूप के 8.25% असुरक्षित विमोच्य गैर-परिवर्तनीय गौण बन्धपत्र (शृंखला-IV)।

[सं. 29/2005-स्टाम्प/फा.सं. 33/37/2005-बि.क.]

आर. जी. छाबड़ा, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

ORDER

New Delhi, the 31st August, 2005

STAMPS

S.O. 3684.—In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Lakshmi Vilas Bank Ltd., Kanur, to pay consolidated stamp duty of rupees six lakh twenty four thousand only chargeable on account of the stamp duty on bonds described as—

- (i) 8.25% unsecured redeemable non-convertible subordinated bonds (Series-IV) in the nature of promissory notes aggregating to rupees eighteen crore only, and
- (ii) 8.25% unsecured redeemable non-convertible subordinated bonds (Series-IV) in the nature of debentures aggregating to rupees twelve crore only, to be issued by the said Bank.

[No. 29/2005-Stamp/F.No. 33/37/2005-ST]

R. G. CHHABRA, Under Secy.

नई दिल्ली, 28 सितंबर, 2005

का. आ. 3685.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में राजस्व विभाग के अधीन केन्द्रीय उत्पाद एवं सीमा शुल्क बोर्ड के निम्नलिखित क्षेत्रीय कार्यालयों को, जिनके 80 प्रतिशत कर्मचारीवृंद ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. केन्द्रीय उत्पाद शुल्क आयुक्तालय, अहमदाबाद-II, अहमदाबाद।
2. केन्द्रीय उत्पाद शुल्क, मंडल-I, नरोडा, जी.आई.डी.सी. अहमदाबाद।
3. केन्द्रीय उत्पाद शुल्क, मंडल-II, नरोडा रोड, अहमदाबाद।
4. केन्द्रीय उत्पाद शुल्क, मंडल-III, ओढव, अहमदाबाद।
5. केन्द्रीय उत्पाद शुल्क, मंडल-IV, ग्रामीण, अहमदाबाद।
6. केन्द्रीय उत्पाद शुल्क, मंडल-V, शहरी, अहमदाबाद।

[फा. सं. 11013(01)2005-हिन्दी-2]

मधु शर्मा, निदेशक (रा.भा.)

New Delhi, the 28th September, 2005

S.O. 3685.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use for Official purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices under the Board of Central Excise & Customs, Department of Revenue the 80% staff whereof have acquired the working knowledge of Hindi.

1. Commissioner, Central Excise, Ahmedabad-II, Ahmedabad.

2. Central Excise Division, Division-I, Naroda, GIDC Ahmedabad.
3. Central Excise Division, Division-II, Naroda Road, Ahmedabd.
4. Central Excise Division, Division-III, Odav, Ahmedabad.
5. Central Excise Division, Division-IV, Rural, Ahmedabad.
6. Central Excise Division, Division-V, Urban, Ahmedabad.

[F. No. 11013(01)2005-Hindi-2]

MADHU SHARMA, Director (OL)

नई दिल्ली, 28 सितंबर, 2005

का. आ. 3686.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में राजस्व विभाग के अधीन केन्द्रीय उत्पाद एवं सीमा शुल्क बोर्ड के निम्नलिखित क्षेत्रीय कार्यालय को, जिनके 80 प्रतिशत कर्मचारीवृंद ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

सीमा शुल्क (निवारक) आयुक्तालय

केन्द्रीय राजस्व भवन,

माल रोड,

अमृतसर-148001

[फ. सं. 11013(01)2005-हिन्दी-2]

मधु शर्मा, निदेशक (रा.भा.)

New Delhi, the 28th September, 2005

S.O. 3686.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use for Official purposes of the Union) Rules, 1976 the Central Government hereby notifies the following office under the Board of Central Excise & Customs, Department of Revenue the 80% staff whereof have acquired the working knowledge of Hindi.

Commissioner of Customs (Preventive)

Central Revenue Building,

Mall Road,

Amritsar-143001

[F. No. 11013(01)2005-Hindi-2]

MADHU SHARMA, Director (OL)

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 30 सितंबर, 2005

का. आ. 3687.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, यह घोषणा करती है कि उक्त अधिनियम की धारा 19(2) का उपबंध,

सूचना प्रौद्योगिकी व मैसर्स टाटा कंसल्टेन्सी सर्विसेज लिमिटेड के संयुक्त उद्यम की चुकता पूंजी के 30% से अधिक की शेयरधारिता भारतीय स्टेट बैंक द्वारा रखे जाने के संबंध में, भारतीय स्टेट बैंक पर लागू नहीं होगा।

[फा० सं० 18/2/2001-बी ओ ए]

डी० पी० भारद्वाज, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 30th September, 2005

S.O. 3687.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of Reserve Bank of India, hereby declares that the provision of Section 19(2) of the said Act shall not apply to the State Bank of India in so far as they relate to its holding of the shares in excess of 30% of the paid up share capital of the Information Technology joint venture with M/s Tata Consultancy Services Ltd.

[F. No. 18/2/2001-BOA]

D. P. BHARDWAJ, Under Secy.

नई दिल्ली, 3 अक्टूबर, 2005

का. आ. 3688.—एट्नीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित, बैंककारी कम्पनी (उपक्रमों का अर्जन और अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3(ज) और (3क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्रीमती शांतिबेन चावदा, सामाजिक कार्यकर्ता, निवासी प्रियदर्शिनी, 1, पंचरत्ना पार्क, पंचवटी कॉलोनी के पीछे, राजकोट (गुजरात) को अधिसूचना जारी होने की तारीख से तीन वर्ष की अवधि के लिए अथवा उनके स्थान पर किसी अन्य व्यक्ति को नामित किए जाने तक, जो भी पहले हो, बैंक ऑफ इण्डिया के बोर्ड में अंशकालिक गैर-सरकारी निदेशक के रूप में नियुक्त करती है।

[फ. सं. 9/36/2005-बीओ-1]

जी. बी. सिंह, अवर सचिव

New Delhi, the 3rd October, 2005

S.O. 3688.—In exercise of the powers conferred by Sub-section 3(h) and (3-A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates Smt. Shantaben Chavda, Social Worker, resident of Priyadarshni, 1-Panchratna Park, behind Panchvati Society, Rajkot (Gujarat) as part-time non-official director on the Board of Bank of India for a period of three years from the date of notification or until her successor is nominated, whichever is earlier.

[F. No. 9/36/2005-BO-1]

G. B. SINGH, Under Secy.

नई दिल्ली, 3 अक्टूबर, 2005

का. आ. 3689.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उप-खण्ड (1) के साथ पठित, बैंककारी कम्पनी (उपक्रमों का अर्जन और अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा नीचे दी गई सारणी के कालम (2) में उल्लिखित व्यक्तियों को उक्त सारणी के कालम (3) में उल्लिखित व्यक्तियों के स्थान पर इसके कालम (1) में उल्लिखित राष्ट्रीयकृत बैंकों के निदेशक के रूप में तत्काल प्रभाव से और अगले आदेश होने तक नामित करती है :—

सारणी

बैंक का नाम	प्रस्तावित व्यक्ति का नाम	विद्यमान निदेशकों के नाम
(1)	(2)	(3)
इलाहाबाद बैंक	श्री जी. पद्मानाभन् मुख्य महाप्रबन्धक-प्रभारी, सूचना प्रौद्योगिकी विभाग, भारतीय रिजर्व बैंक, केन्द्रीय कार्यालय, मुम्बई।	श्री चंदन सिन्हा
इंडियन बैंक	श्री एस. करुपासामी, प्रिसिपल, आर.एस.बी.सी. चेन्नई।	डा. रवि एन. मिश्रा

[फा. सं. 9/18/2000-बीओ-1]

जी.बी. सिंह, अवर सचिव

New Delhi, the 3rd October, 2005

S.O. 3689.—In exercise of the powers conferred by clause (c) of Sub-section (3) of Section 9 of the Banking Companies (Acquisition and transfer of Undertakings) Act, 1970, read with sub-clause (I) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates the persons specified in column (2) of the table below as Directors of nationalised banks specified in column (1) thereof in place of the persons specified in column (3) of said table, with immediate effect and until further orders :—

TABLE

Name of the Bank	Name of persons proposed	Name of the existing directors
Allahabad Bank	Shri G. Padmanabhan, CGM-in-Charge, Department of Information Tech- nology, RBI, Central Office, Mumbai	Shri Chandan Sinha

Name of the Bank	Name of persons proposed	Name of the existing directors
Indian Bank	Shri S. Karuppasamy, Principal, RSBC, Chennai	Dr. Rabi N. Mishra

[F. No. 9/18/2000-BO. I]

G.B. SINGH, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 19 सितम्बर, 2005

का. आ. 3690.—इस मंत्रालय की दिनांक 30 अगस्त, 2005 की समसंख्यक अधिसूचना के अनुक्रम में चलचित्रकी (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्रकी अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्रीमती सरोज शर्मा, 378, सेक्टर-LX पॉकेट नं. 2, द्वारका, दिल्ली-110075 को तत्काल प्रभाव से दो वर्ष की अवधि के लिए या अगले आदेशों तक, जो भी पहले हो, केन्द्रीय फिल्म प्रमाणन बोर्ड के दिल्ली सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/7/2004-एफ (सी)]

पी. पी. नायर, डेस्क अधिकारी

MINISTRY OF INFORMATION AND
BROADCASTING

New Delhi, the 19th September, 2005

S.O. 3690.—In continuation of this Ministry's Notification of even number dated 30th August, 2005 and in exercise of the powers conferred by Sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 of the Central Government is pleased to appoint Smt. Saroj Sharma, R/o 378, Sector-LX, Pocket No. 2, Dwarka, Delhi-110075 as member of the Delhi advisory panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

[F. No. 809/7/2004-F(C)]

P.P. NAIR, Desk Officer

नई दिल्ली, 19 सितम्बर, 2005

का. आ. 3691.—इस मंत्रालय की दिनांक 20-6-2005 की समसंख्यक अधिसूचना के अनुक्रम में और चलचित्रकी (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्रकी अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, श्रीमती गौरी बापट, फ्लैट सं. 205, कोहीनूर 1-ए, प्लॉट 215, इन्द्रदर्शन क्रॉस रोड, ओशीवाड़ा, अंधेरी (प.), मुंबई को तत्काल प्रभाव से दो वर्ष की अवधि के लिए या अगले आदेशों तक, जो भी पहले हो, मुंबई सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/1/2004-एफ (सी)]

पी. पी. नायर, डेस्क अधिकारी

New Delhi, the 19th September, 2005

S.O. 3691.—In Continuation of this Ministry's Notification of even number dated 20-6-2005 and in exercise of the powers conferred by Sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Smt. Gauri Bapat, R/o Flat No. 205, Kohinor 1-A, Plot 215, Indradarshan Cross Road, Oshiwara Andheri(W), Mumbai as member of the Mumbai advisory panel with immediate effect for a period of two years or until further orders, whichever is earlier.

[F. No. 809/1/2004-F(C)]

P.P. NAIR, Desk Officer

नई दिल्ली, 22 सितम्बर, 2005

का. आ. 3692.—चलचित्रकी (प्रमाणन) नियमावली, 1983 के नियम 9 के साथ पठित चलचित्रकी अधिनियम, 1952 (1952 का 37) की धारा 5घ की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री विनायक आजाद, संयुक्त आयुक्त, कर अधिशेष वसूली प्रकोष्ठ वड़ोदरा को प्रतिनियुक्ति आधार पर केन्द्रीय फिल्म प्रमाणन बोर्ड, मुंबई के क्षेत्रीय अधिकारी के रूप में दिनांक 30 मई, 2005 की पूर्वाह्न से चार वर्षों की अवधि के लिए अथवा अगले आदेशों तक जो भी पहले हो, नियुक्त करती है।

[फ. सं. 801/5/2004-एफ (सी)]

विश्वजीत सहाय, निदेशक (फिल्म)

New Delhi, the 22nd September, 2005

S.O. 3692.—In exercise of the powers conferred by Sub-section (2) of Section 5D of the Cinematograph Act, 1952 (37 of 1952) read with Rule 9 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Shri Vinayak Azaad, Joint Commissioner, Tax Arrear Recovery Cell, Vadodara as Regional Officer, Central Board of Film Certification, Mumbai, on deputation basis of a period of four years with effect from the forenoon of 30th May, 2005 or until further orders, whichever event takes place earlier.

[F. No. 801/5/2004-F(C)]

VISHVAJIT SAHAY, Director (Films)

नई दिल्ली, 22 सितम्बर, 2005

का. आ. 3693.—चलचित्रकी (प्रमाणन) नियमावली, 1983 के नियम 9 के साथ पठित चलचित्रकी अधिनियम, 1952 (1952 का 37) की धारा 5घ की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री बाबू रामासामी, निदेशक, फिल्म प्रभाग, मुम्बई को प्रतिनियुक्ति आधार पर केन्द्रीय फिल्म प्रमाणन बोर्ड, चेन्नई के क्षेत्रीय अधिकारी के रूप में दिनांक 18 जुलाई, 2005 की पूर्वाह्न से चार वर्षों की अवधि के लिए अथवा अगले आदेशों तक जो भी पहले हो, नियुक्त करती है।

[फ. सं. 801/2/2005-एफ (सी)]

विश्वजीत सहाय, निदेशक (फिल्म)

New Delhi, the 22nd September, 2005

S.O. 3693.—In exercise of the powers conferred by Sub-section (2) of Section 5D of the Cinematograph Act, 1952 (37 of 1952) read with Rule 9 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Shri Babu Rammasami, Director, Films Division, Mumbai as Regional Officer, Central Board of Film certification, Chennai, on deputation basis for a period four years with effect from the forenoon of 18th July, 2005 or until further orders, whichever event takes place earlier.

[F. No. 801/2/2005-F(C)]

VISHVAJIT SAHAY, Director (Films)

शहरी विकास मंत्रालय

नई दिल्ली, 9 सितम्बर, 2005

का. आ. 3694.—भारत सरकार एतद्वारा शहरी विकास मंत्रालय के प्रशासनिक नियंत्रणाधीन राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, भारत पर्यावास केन्द्र, लोदी रोड, नई दिल्ली, जहाँ 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथा संशोधित 1987) के नियम 10 के उप नियम (4) के अंतर्गत अधिसूचित करती है।

[सं. ई-11017/3/2005-हिन्दी]

एम. राजामणि, संयुक्त सचिव

MINISTRY OF URBAN DEVELOPMENT

New Delhi, the 9th September, 2005

S.O. 3694.—The Government of India in pursuance of Sub-rule (4) of Rule 10 of the Official Languages (Use for Official purposes of the Union) Rules, 1976 (As amended, 1987) hereby notifies National Capital Region Planning Board, India Habitat Centre, Lodhi Road, New Delhi under the administrative Control of the Ministry of Urban Development, where more than 80% of staff have acquired working knowledge in Hindi.

[No. E-11017/3/2004-Hindi]

M. RAJAMANI, Jr. Secy.

जल संसाधन मंत्रालय

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3695.—“सिगरेट और अन्य तम्बाकू उत्पाद (व्यापार और वाणिज्य, उत्पादन, आपूर्ति और वितरण का विज्ञापन व नियमन का निषेध) अधिनियम, 2003” की धारा 25 द्वारा प्रदत्त शक्तियों का उपयोग करते हुए जल संसाधन मंत्रालय नीचे दी गई तालिका के कालम 3 में

दर्शाए गए अधिकारियों को उक्त अधिनियम की धारा 4 के तहत कार्य करने के लिए 'सक्षम प्राधिकारी' के रूप में प्राधिकृत करता है :—

क्रम सं.	कार्यालय	प्राधिकृत व्यक्ति
1.	2	3
I	जल संसाधन मंत्रालय	मंत्रालय के 3 निदेशक या उपसचिव सामान्य (प्रशा.)
II	संबद्ध कार्यालय	
1.	केन्द्रीय जल आयोग	निदेशक (प्रशा.)
2.	केन्द्रीय भूमि एवं सामग्री अनुसंधान केन्द्र	
III	अधीनस्थ कार्यालय	
1.	फरक्का बैराज परियोजना	
2.	गंगा बाढ़ नियंत्रण आयोग	
3.	केन्द्रीय जल एवं विद्युत अनुसंधानशाला	
4.	केन्द्रीय भूमि जल बोर्ड	कार्यालय प्रमुख
5.	बाण सागर नियंत्रण बोर्ड	
6.	सरदार सरोवर निर्माण सलाहकार (समिति)	
7.	अपर यमुना नदी बोर्ड	
IV	सांविधिक विकास	
11.	राष्ट्रीय जल विज्ञान	
12.	राष्ट्रीय जलविकास अधिकरण	
13.	नर्मदा नियंत्रण प्राधिकरण	
14.	ब्रह्मपुत्र बोर्ड	प्रशासनिक अधिकारी
15.	बेतवा नदी बोर्ड	
16.	तुंगभद्रा बोर्ड	
V	सार्वजनिक उपक्रम	
17.	जल एवं विद्युत परिमर्शी सेवाएं (भारत) लिमिटेड	कार्मिक अधिकारी
18.	नेशनल प्रोजेक्ट्स कंस्ट्रक्शन कारपोरेशन लिमिटेड	

यह अधिसूचना तत्काल प्रभाव से लागू होगी।

[फा. सं. 10/8/2004-संदर्भ]

मीता सिंह, उप सचिव

MINISTRY OF WATER RESOURCES

New Delhi, the 29th September, 2005

S.O. 3695.—In exercise of the powers conferred by Section 25 of "The Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003", the Ministry of Water Resources hereby authorizes the officers indicated in Column 3 of the Trade given below to be competent to act under Section 4 of the said Act :—

Sl. No.	Office	Authorised Person
1.	2	3
I	Ministry of Water Resources	Director of Deputy Secretary (Genl. Admn.) of the Ministry
II	Attached Offices	
1.	Central Water Commission	Director (Admn.)
2.	Central Soil and Materials Research Station	
III	Subordinate Offices	
1.	Farakka Barrage Project	
2.	Ganga Flood Control Commission	
3.	Central Water and Power Research Station	Heads of Offices
4.	Central Ground Water Board	
5.	Bansagar Control Board	
6.	Sardar Sarovar Construction Advisory Committee	
7.	Upper Yamuna River Board	
IV	Statutory Bodies	
11.	National Institute of Hydrology	
12.	National Water Development Agency	
13.	Narmada Control Authority	Administrative Officer
14.	Brahmaputra Board	
15.	Betwa River Board	
16.	Tungabhadra Board	
V	Public Sector Undertakings	
17.	Water and Power Consultancy Services (I) Limited	
18.	National Projects Construction Corporation Limited	Personnel Officer

This notification shall come into force with immediate effect.

[F. No. 10/8/2004-Coord.]
MEETA SINGH, Dy. Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3696.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15575 (भाग I) : 2005/IEC 61672-1 (2002) विद्युत ध्वनिक—ध्वनि तल मीटर—भाग 1 विशिष्टियों	IS 9779 : 1981 का अतिक्रमण करते हुए	जुलाई 2005
2.	आई एस 15598 : 2005/CISPR 21 (1999) आवेशी शोर की उपस्थिति में गतिशील रेडियो संचार का व्यतिक्रमण—निम्नीकरण के जांच के उपाय तथा निष्पादन के सुधार के तरीके	—	जुलाई 2005

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ एल टी डी/जी-75]

सुख बीर सिंह, प्रमुख (एल आई टी डी)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 29th September, 2005

S.O. 3696.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

S. No.	No. and Year of the Indian Standards Established	No. and Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 15575 (Part I) : 2005/IEC 61672-1 (2002) Electroacoustics—Sound level meters—Part 1 Specifications	Superseding IS 9779 : 1981	July 2005
2.	IS 15598 : 2005 CISPR 21 : 2005 Interference to mobile radiocommunications in the presence of impulsive noise— Methods of judging degradation and measures to improve performance	—	July 2005

Copy of this Standards is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. LTD/G-75]
SUKHBIR SINGH, Head (LITD)

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3697.— भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 2643 : 2005 पाईप की चूड़ियों जहाँ चूड़ियों पर दाबरूद्ध जोड़ नहीं बनाए जाते हैं—आयाम, छूटें और अभिहित नाम (तीसरा पुनरीक्षण)	—	जुलाई, 2005
2.	आई एस 6688 : 2005 अदुढ़ीकृत टेपर पिन (दूसरा पुनरीक्षण)	—	जुलाई, 2005
3.	आई एस 7822 : 2005 ऐंठित बरमें—अतिरिक्त लम्बाई के मोर्स टेपर शैंक—विशिष्ट (दूसरा पुनरीक्षण)	—	जुलाई, 2005
4.	आई एस 7823 : 2005 ऐंठित बरमें—अतिरिक्त लम्बाई के समानान्तर शैंक—विशिष्ट (दूसरा पुनरीक्षण)	—	जुलाई, 2005
5.	आई एस 15577 (भाग 3) : 2005 सामान्य उपयोग और द्रव पावर के लिए कनेक्शन—धातु सीलिंग में इलैस्टोमेरिक अथवा धातु के साथ ISO 261 चूड़ियों सहित पोर्ट और स्टड सिरे—भाग 3 धातु सीलिंग में धातु के स्टड सिरे (टाइप बी)	—	जून, 2005

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : पी जी डी/जी -3.5]

राकेश कुमार, प्रमुख (पीजीडी)

New Delhi, the 29th September, 2005

S.O. 3697.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicate against each :

SCHEDULE

S. No.	No. and Year of the Indian Standards Established	No. and Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 2643 : 2005 Pipe threads where pressure-tight joints are not made on the threads—Dimensions, tolerances and designation (third revision)	—	July, 2005
2.	IS 6688 : 2005 Taper pins, unhardened (Second revision)	—	July, 2005
3.	IS 7822 : 2005 Twist Drill—Extra long morse taper shank—Specification (Second revision)	—	July, 2005
4.	IS 7823 : 2005 Thread drills—Extra-long parallel shank—Specification (Second revision)	—	July, 2005
5.	IS 15577 (Part 3) : 2005 Connections for general use and fluid power—Ports and stud ends with ISO 261 threads with elastomeric or metal to metal sealing—Part 3 Stud ends with metal-to-metal sealing (Type B)	—	June, 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. PGD/G-3.5]
RAKESH KUMAR, Head (PGD)

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3698.— भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	विस्थापित होने की तिथि	टिप्पणी
(1)	(2)	(3)	(4)
1.	आई एस 1440 : 1985 बेलनाकार के 7/24 टेपर की रिडक्शन स्लीव की विशिष्टी	13 मई, 2005	आईएस 11835 (भाग 1) : 2005 एवं आईएस 11835 (भाग 2) : 2004 द्वारा अधिक्रमित

[संदर्भ पी जी डी/जी -3.5]

राकेश कुमार, निदेशक एवं प्रमुख (पीजीडी)

New Delhi, the 29th September, 2005

S.O. 3698.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed has been cancelled and stands withdrawn.

SCHEDULE

S. No.	No. and Year of the Indian Standards Established	Date of Withdrawn	Remarks
(1)	(2)	(3)	(4)
1.	IS 11440 : 1985 Specification for reduction sleeve 7/24 taper to cylindrical	13 May, 2005	Superseded by IS 11835 (Part 1) : 2005 and IS 11835 (Part 2) : 2004

[Ref. PGD/G-3.5]

RAKESH KUMAR, Director & Head (PGD)

नई दिल्ली, 30 सितम्बर, 2005

का. आ. 3699.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	IS : 3321 : 1973	संशोधन संख्या 2, अगस्त 2005	तत्काल प्रभाव से

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ पी सी डी/जी -7 (गजट)]

डॉ. डी. के. चौधरी, वैज्ञ. एफ एवं प्रमुख (पेट्रोल, कोयला एवं सम्बंधित उत्पाद)

New Delhi, the 30th September, 2005

S.O. 3699.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

S. No.	No. and Year of the Indian Standards	No. and Year of amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 3321 : 1973 for formaldehyde solution Specification (first revision)	Amendment No. 2, August, 2005	With immediate effect

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. PCD/G-7 (Gazette)]

Dr. D. K. CHAUDHURI, Sc-F & Head (PCD)

नई दिल्ली, 5 अक्टूबर, 2005

का. आ. 3700.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गये मानक(कों) में संशोधन किया गया/किये गए हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 4473 : 2002 घरेलू द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त गैस के ओवन—विशिष्ट (पहला पुनरीक्षण)	संशोधन नं. 2, सितम्बर, 2005	30 सितम्बर, 2005

इस संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ एम. ई. डी./जी -2 : 1]

सी. के. वेदा, वैज्ञा-एफ एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 5th October, 2005

S.O. 3700.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

S. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 4473 : 2002 Domestic gas ovens for use with liquefied petroleum gases—Specification (First revision)	Amendment No. 2, September, 2005	30 September 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. MED/G-2:1]

C. K. VEDA, Sc-F & Head Mechanical Engineering)

नई दिल्ली, 5 अक्टूबर, 2005

का. आ. 3701.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानको, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15593 (भाग 1) : 2005/आईएसओ/ टीएस : 10811-1 : 2000 यांत्रिक कंपन और प्रघात—भवनों में संवेदनशील उपस्करों में यांत्रिक कंपन और प्रघात भाग 1 मापन और मूल्यांकन	—	31 जुलाई, 2005
2.	आई एस 15593 (भाग 2) : 2005/आईएसओ/ टीएस : 10811-2 : 2000 यांत्रिक कंपन और प्रघात—भवनों में संवेदनशील उपस्करों में यांत्रिक कंपन और प्रघात भाग 2 वर्गीकरण	—	31 जुलाई 2005

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ एम. ई. डी./जी - 2 : 1]

सी. के. वेदा, वैज्ञानिक-एफ एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 5th October, 2005

S.O. 3701.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

S. No.	No. and Year of the Indian Standards Established	No. and Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 15593 (Part 1) : 2005/ISO/TC 10811-1 : 2000 Mechanical vibration and shock-Vibration and shock in building with sensitive equipment Part 1 Measurement and evaluation	—	31 July, 2005
2.	IS 15593 (Part 2) : 2005/ISO/TC 10811-2 : 2000 Mechanical vibration and shock-Vibration and shock in building with sensitive equipment Part 2 Classification.	—	31 July, 2005

Copy of this Standards is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

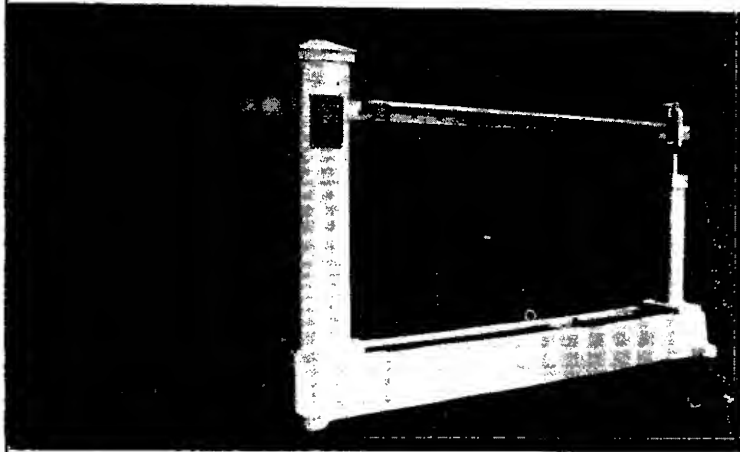
[Ref. MED/G-2:1]

C. K. VEDA, Sc-F & Head (Mechanical Engineering)

नई दिल्ली, 27 सितम्बर, 2005

का.आ. 3702.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सोम स्केल वर्क्स, भोपा रोड, नई मंडी, मुजफ्फर नगर, उत्तर प्रदेश-251001 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस एस डब्ल्यू" शृंखला के सदृश्य सूचन सहित, अस्वचालित तोलन उपकरण (वे ब्रिज स्टील यार्ड प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एस एस डब्ल्यू" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2004/257 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक कम्पाउन्ड लीवर आधारित अस्वचालित (वे ब्रिज स्टील यार्ड प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 40 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 कि. ग्रा. है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

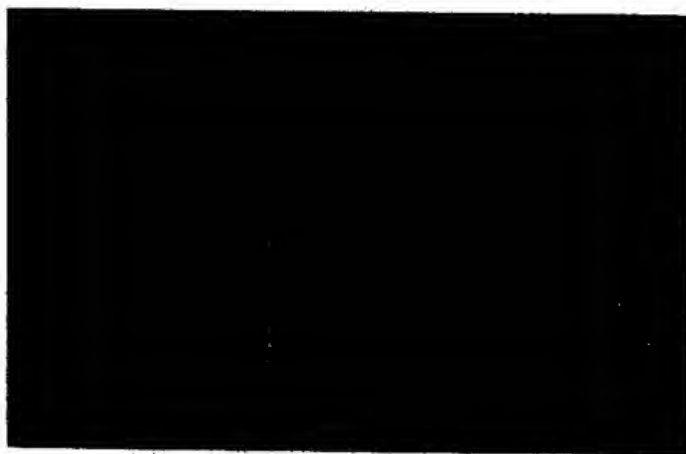
[फन. सं. डब्ल्यू एम-21(208)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th September, 2005

S.O. 3702.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Weighbridge Steel Yard type) with analogue indication of "SSW" series of medium accuracy (Accuracy class-III) and with brand name "SSW" (hereinafter referred to as the said model); manufactured by M/s. Som Scale Works, Bhopa Road, New Mandi, Muzafarnagar-251001, Uttar Pradesh and which is assigned the approval mark IND/09/2004/257;



The said model is a compound lever based non-automatic weighing instrument (Weighbrid-Steel Yard type) with a maximum capacity of 40 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured.

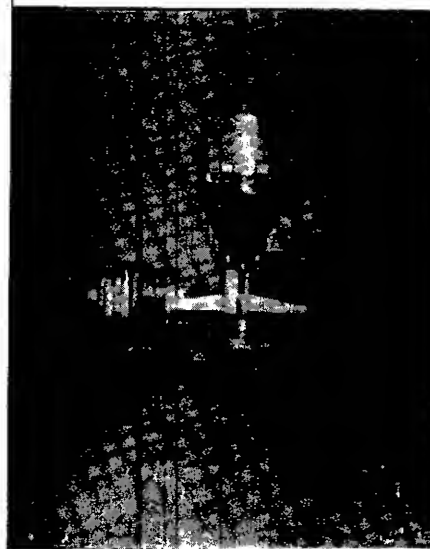
[F. No. WM-21(208)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 सितम्बर, 2005

का.आ. 3703.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जेंट पैक मशीन्स, सी-18, नंद प्योत इंडस्ट्रियल इस्टेट, सफेद पुल, साकी नाका, मुंबई-400072 द्वारा निर्मित स्वचालित भरण मशीन “जे पी एफ-30” शृंखला के (औगर फिलर प्रकार) के मॉडल का, जिसके ब्रांड का नाम “जेट पैक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/230 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक स्वचालित भरण मशीन (औगर फिलर) है और इसकी अधिकतम क्षमता 2 कि. ग्रा. है। यह दन्त पाउडर, टालकम पाउडर, काफी पाउडर, पीसे हुए मसाले, आटा, नाशक जीव मार पाउडर इत्यादि जैसे मुक्त बहाव वाले उत्पादों को भरने के लिए प्रयोग होता है। इसकी अधिकतम भरत दर 25 थैली प्रति मिनट है। उपकरण 230 वोल्ट, 50 हर्ट्ज गत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के स्वचालित भरण मशीन भी होंगे जो 10 ग्रा. से 2 कि. ग्रा. तक की रेंज के हैं।

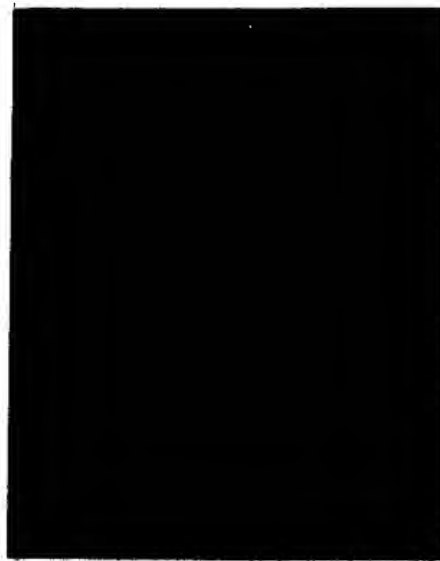
[फा. सं. डब्ल्यू एम-21(116)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th September, 2005

S.O. 3703.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of automatic filling machine (Auger Filler) of "JPF-30" series with brand name "JETPACK" (herein referred to the said model), manufactured by M/s. Jet Pack Machines, C-18, Nand Jyot Industrial Estate, Safed Pool, Saki Naka, Mumbai-400 072 and which is assigned the approval mark IND/09/2004/230;



The said model is an automatic filling machine (Auger Filler) and its maximum capacity is 2 kg. It is used for filling the free flowing products like toothpowder, talcum powder, coffee powder, ground spices, atta, pesticide powder etc. It fills maximum 25 packets per minute. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 10g. to 2 kg. manufactured by the same manufacturer in accordance with the same principles, design accuracy and with the same materials with which, the said approved model has been manufactured.

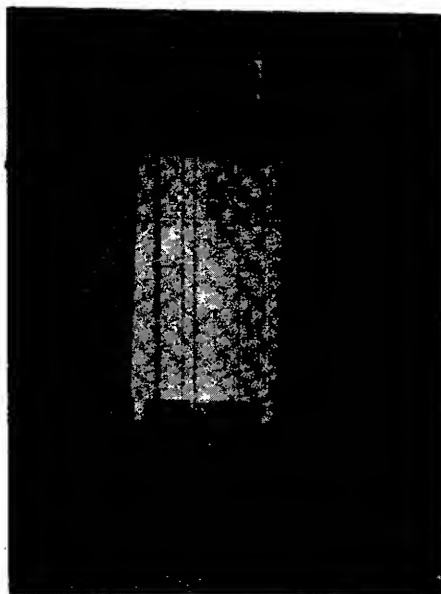
[F. No. WM-21(116)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 सितम्बर, 2005

का. आ. 3704.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जैट पैक मशीन्स, सी-18 नंद ज्योत इंडस्ट्रियल इस्टेट, सफेद पुल, साकी नाका, मुंबई-400072 द्वारा निर्मित स्वचालित भरण मशीन वाले "जे सी एफ-30" श्रृंखला के (पिस्टन फिलर प्रकार) के मॉडल का, जिसके ब्रांड का नाम "जैट पैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/231 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है ;



उक्त मॉडल एक स्वचालित भरण मशीन (पिस्टन फिलर) है। और इसकी अधिकतम क्षमता 5 कि. ग्रा. है। यह आंसाजक, ग्रीस, जेली चिपचिपे द्रव्य उत्पाद को भरने के लिए प्रयोग किया जाता है। इसकी अधिकतम आउटपुट 20 थैली प्रति मिनट है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के स्वचालित भरण मशीन भी होंगे जो 5 ग्रा. से 5 कि. ग्रा. तक की रेंज में हैं।

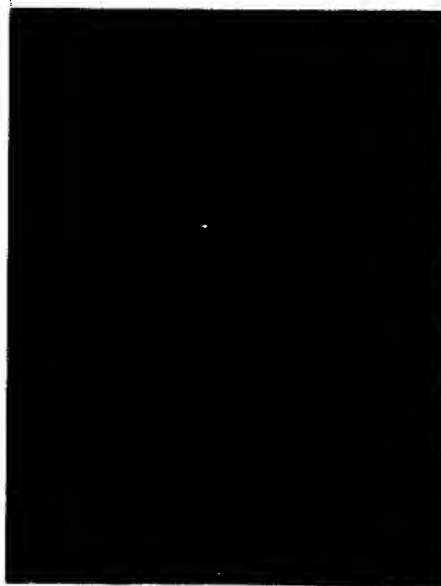
[फा. सं. डब्ल्यू एम-21(116)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th September, 2005

S.O. 3704.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of automatic filling machine (Piston Filler) of "JCF-30" series with brand name "JET PACK" (hereinafter referred to as the said Model), manufactured by M/s. Jet Pack Machines, C-18, Nand Jyot Industrial Estate, Safed Pool, Saki Naka, Mumbai-400 072 and which is assigned the approval mark IND/09/2004/231;



The said Model is an Automatic filling machine (Piston Filler) and its maximum capacity is 5kg. It is used for filling the viscous liquid products like adhesives, grease, Jelly etc. Its maximum output is 20 packets per minute. The instrument operates on 230Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 5g to 5kg or equivalent volume, manufactured by the same manufacturer in accordance with the same principles, design, accuracy and with the same materials with which, the said approved Model has been manufactured.

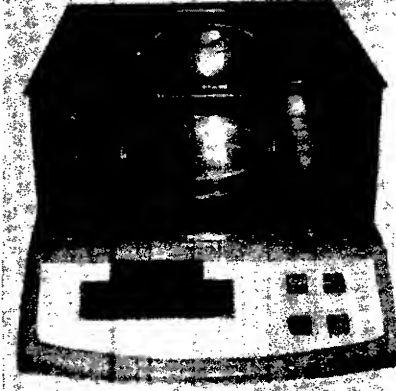
[F. No. WM-21(116)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3705.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एस. बी. टेलिलिक प्रोडक्ट लिमिटेड, जी 42 ए, भूतल अम्बर टावर, एस सी रोड, जयपुर, राजस्थान द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "एस बी जे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके बांड का नाम "एस बी गोल्ड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2005/272 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (टेबलटॉप प्रकार का) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 22 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्राम है। इसमें एक आघेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आघेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को खोले जाने कपटपूर्ण व्यवहारों के लिए से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्राम से 50 मि. ग्राम तक "ई" मान के लिए 100 से 50000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू एम-21(91)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2005

S.O. 3705.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "SBJ" series of high accuracy (Accuracy class-II) and with brand name "SB-GOLD" (hereinafter referred to as the said Model), manufactured by M/s. S. B. Telelink Pvt. Ltd., G, 42-A, Ground Floor, Ambar Tower, S. C. Road, Jaipur, Rajasthan and which is assigned the approval mark IND/09/2005/272;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 22 kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principles, design, and with the same materials with which, the said approved Model has been manufactured.

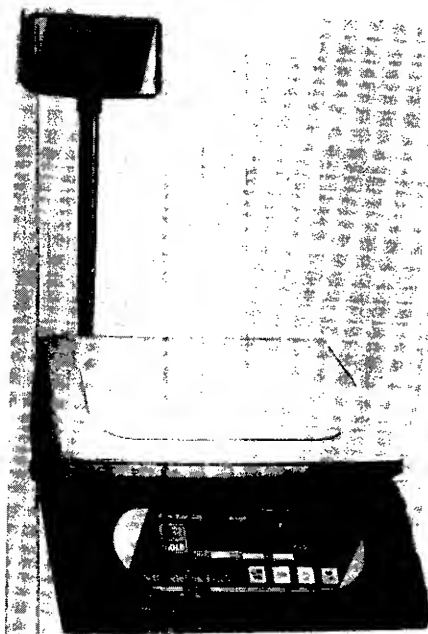
[F. No. WM-21(91)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3706.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एस. बी. टेलिलिक प्राइवेट लिमिटेड, जी 42 ए, भूतल अम्बर टावर, एस सी रोड, जयपुर, राजस्थान द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "एस बी टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एस बी गोल्ड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2005/273 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (टेबलटोप प्रकार का) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्राम तक "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

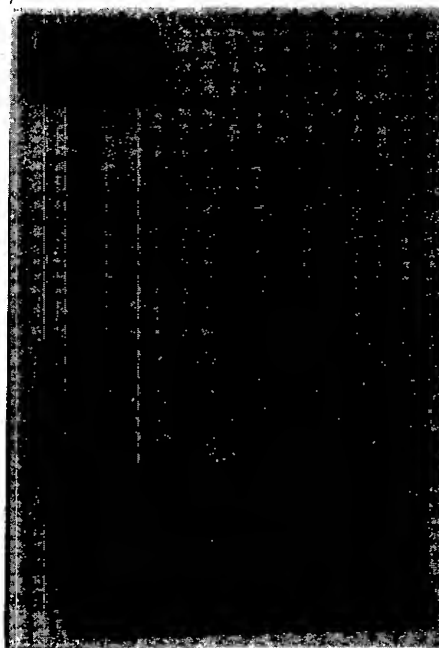
[फा.सं. डब्ल्यू एम-21(91)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2005

S.O. 3706.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of “SBT” series of medium accuracy (Accuracy class-III) and with brand name “SB-GOLD” (hereinafter referred to as the said model), manufactured by M/s. S. B. Telelink Pvt. Ltd., G. 42-A, Ground Floor, Ambar Tower, S. C. Road, Jaipur, Rajasthan and which is assigned the approval mark IND/09/2005/273;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for ‘e’ value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5g or more and with ‘e’ value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

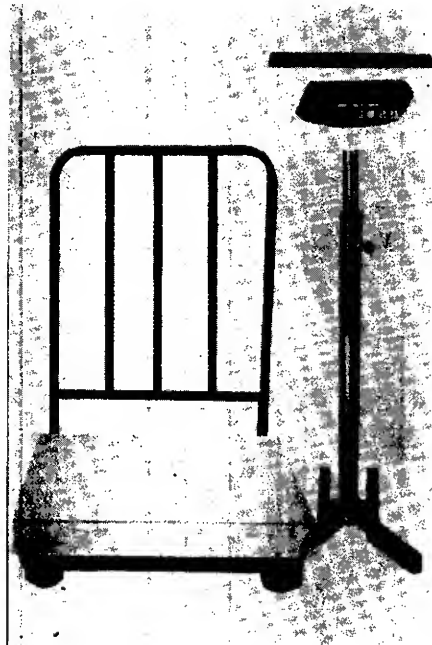
[F. No. WM-21(91)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2005

का.आ. 3707.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एस. बी. टेलिलिक प्राइवेट लिमिटेड, जी 42 ए, भूतल अम्बर टावर, एस सी रोड, जयपुर, राजस्थान द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "एस बी पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एस बी गोल्ड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2005/274 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (प्लेटफार्म प्रकार का) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 2000 कि. ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैमिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा.सं. डब्ल्यू एम-21(91)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2005

S.O. 3707.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "SBP" series of medium accuracy (Accuracy class-III) and with brand name "SB-GOLD" (hereinafter referred to as the said model), manufactured by M/s S. B. Telelink Pvt. Ltd., G. 42-A, Ground Floor, Ambar Tower, S. C. Road, Jaipur, Rajasthan and which is assigned the approval mark IND/09/2005/274;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 2000 kg and minimum capacity of 4kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved model has been manufactured.

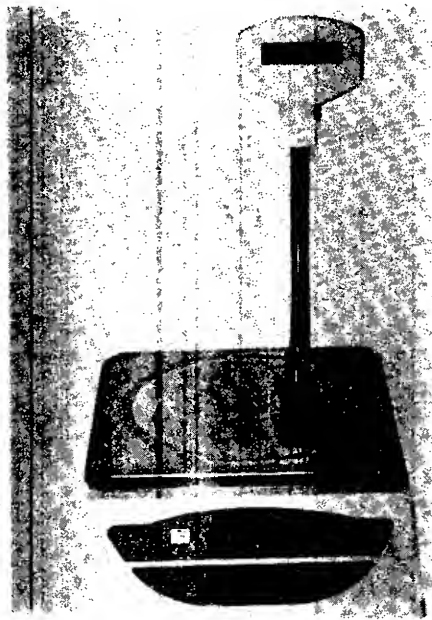
[F. No. WM-21(91)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3708.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सिद्धि एंटरप्राइज, कमला नगर, सर्वे नं. 3, बदगांव श्री, पुणे-411014 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एसीटी" शृंखला के दोहरी रेंज का अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ए टी एम कैसीओ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2004/88 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित दोहरी रेंज का अस्वचालित (टेबल टोप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 12 कि. ग्रा. और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 6 कि. ग्रा. तक 1 ग्रा. और 6 कि. ग्रा. से अधिक 12 कि. ग्रा. तक 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवहारात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू एम-21(63)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2005

2 S.O. 3708.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) of dual range with digital indication of "ACT" series of medium accuracy (Accuracy class-III) and with brand name "ATMCASIO" (hereinafter referred to as the said model), manufactured by M/s. Siddhi Enterprises, Kamal Nagar, Survey No. 3, Vadgaon Sheri, Pune-411 014 and which is assigned the approval mark IND/09/2004/98;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) of dual range with a maximum capacity of 12 kg and minimum capacity of 20g. The verification scale interval (e) is 1g up to 6kg and 2g above 6kg and upto 12kg. It has a tare device with a 100 per cent subtractive retained tare effect. The light liquid crystal display (LED) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (in) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

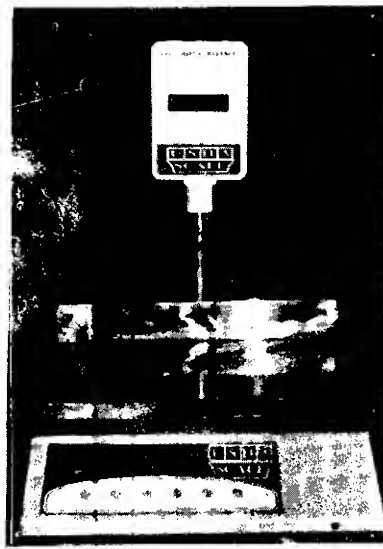
[F. No. WM-21(63)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3709.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स उपा स्केल्स एसोसिएट्स, सी-21, साइट ए, इंडस्ट्रियल एरिया, सिकंदरा, आगरा-282007, उत्तर प्रदेश द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "यू एस ए टी" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "उपा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2004/241 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक "ई" मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

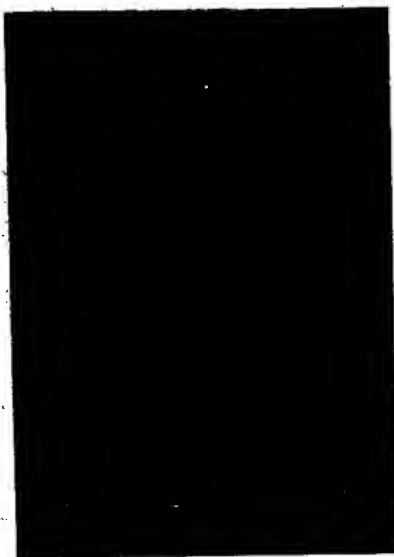
[फा.सं. डब्ल्यू एम-21(339)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2005

S.O. 3709.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "USAT" series of high accuracy (Accuracy class-II) and with brand name "USHA" (hereinafter referred to as the said model), manufactured by M/s. Usha Scale Associates, C-21, Site-A, Industrial Area, Sikandra, Agra-282 007, Uttar Pradesh and which is assigned the approval mark IND/09/2004/241;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 50 mg. and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

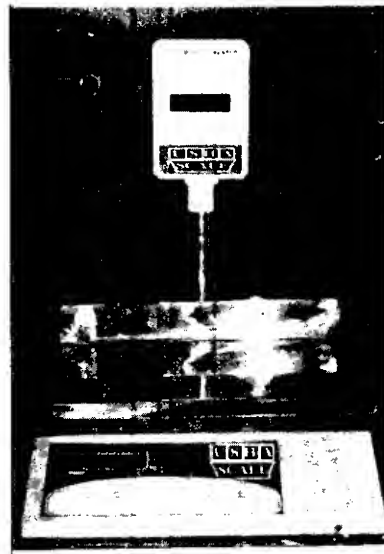
[F. No. WM-21(339)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3710.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स 'उपा स्केल्स एसोसिएट्स, सी-21, साइट ए, इंडस्ट्रियल एरिया, सिकंदरा, आगरा-241007, उत्तर प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "यू एस ई टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "उपा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2004/242 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू एम-21(339)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2005

S.O. 3710.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "USAT" series of medium accuracy (Accuracy class-III) and with brand name "USHA" (hereinafter referred to as the said Model), manufactured by M/s. Usha Scale Associates, C-21, Site-A, Industrial Area, Sikandra, Agra-241 007, Uttar Pradesh and which is assigned the approval mark IND/09/2004/242;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(339)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3711.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स उपा स्केल्स एसोसिएट्स, सी-21, साइट ए, इंडस्ट्रियल एरिया, सिकंदरा, आगरा-241007, उत्तर प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "यू एस ए टी" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "उपा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2004/243 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1200 कि. ग्रा. और न्यूनतम क्षमता 5 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू एम-21(339)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2005

S.O. 3711.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "USAP" series of medium accuracy (Accuracy class-III) and with brand name "USHA" (hereinafter referred to as the said model), manufactured by M/s. Usha Scale Associates, C-21, Site-A, Industrial area, Sikandra, Agra-241 007, Uttar Pradesh and which is assigned the approval mark IND/09/2004/243;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1200 kg and minimum capacity of 5 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg ND up to 5000kg with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

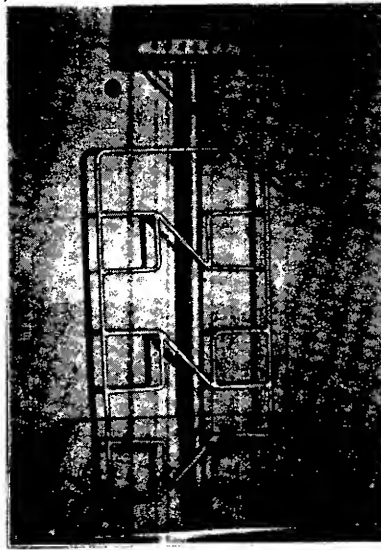
[F. No. WM-21(339)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3712.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स उपा स्केल्स एसोसिएट्स, सी-21, साइट ए, इंडिस्ट्रियल एरिया, सिकंदरा, आगरा-282007, उत्तर प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "यू एस ई पी" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के माडल का, जिसके ब्रांड का नाम "उपा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/244 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गैज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिसे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(339)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2005

S.O. 3712.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "USEP" series of medium accuracy (Accuracy class-III) and with brand name "USHA" (hereinafter referred to as the said model), manufactured by M/s Usha Scale Associates, C-21, Site-A, Industrial Area, Sikandra, Agra-241007, Uttar Pradesh and which, is assigned the approval mark IND/09/2004/244;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

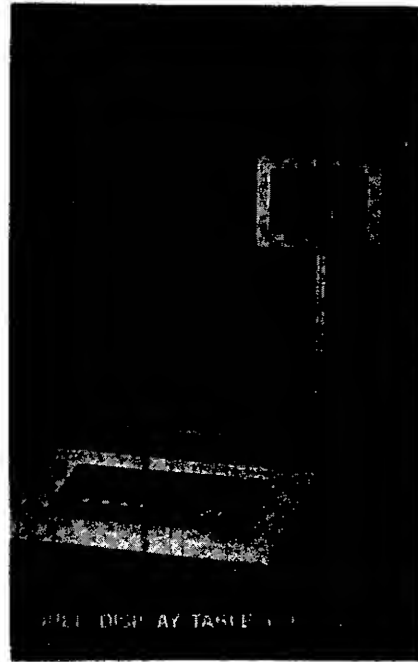
[F. No. WM-21(339)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का.आ. 3713.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ताज स्केल इंडस्ट्रीज, गंज बाजार, स्टेशन रोड के पास वदनगर तालुक जिला मेहसाणा (एम पी) वदनगर-380355 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ताज" है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2005/524 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टोप प्रकार का) तोलन उपकरण जो अंकक सूचन सहित लोड सेल सिद्धान्त पर कार्य करता है। इसकी अधिकतम क्षमता 30 कि०ग्रा० और न्यूनतम क्षमता 100 ग्रा० है। सत्यापन मापमान अन्तराल (ई) का मान 5 ग्रा० है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग स्लेट को सीलबंद करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंदी की जाएगी।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि० ग्रा० या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि०ग्रा० तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

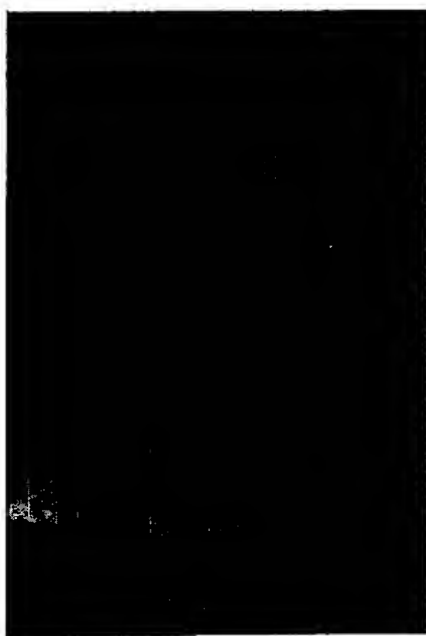
[फा० सं० डब्ल्यू एम-21(50)/1998]

पी० ए० कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3713.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) and with brand name "TAJ" (hereinafter referred to as the said Model), manufactured by M/s. Taj Scale Industries, Gunj Bazar, Nr. Station Road, Tal. Vadnagar, Dist. Mehsana, (N.G.) Vadnagar-384355, and which is assigned the approval mark IND/09/2005/524;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) working on the principle of load cell with digital indication of maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 50 kg. and with number of verification scale intervals (n) in the range of 500 to 10,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(50)/1998]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का.आ. 3714.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ताज स्केल इंडस्ट्रीज, गंज बाजार, स्टेशन रोड के पास वदनगर तालुक, जिला मेहसना (एम पी) वदनगर-380355 द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेट फॉर्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ताज" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2005/525 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृति गेज प्रकार का लोड सैल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण जो अंकक सूचन सहित लोड सैल सिद्धान्त पर कार्य करता है। इसकी अधिकतम क्षमता 150 कि०ग्रा० और न्यूनतम क्षमता 1 कि० ग्रा० है। सत्यापन मापमान अन्तराल (ई) का मान 50 ग्रा० है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट की सीलबन्द के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द की जाएगी।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा० या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि०ग्रा० से अधिक और 500 कि०ग्रा० तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा० सं० डब्ल्यू एम-21(50)/1998]

पी० ए० कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3714.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) and with brand name "TAJ" (hereinafter referred to as the said Model), manufactured by M/s. Taj Scale Industries, Gunj Bazar, Nr. Station Road, Tal. Vadnagar, Dist. Mehsana, (N.G.), Vadnagar-384355, and which is assigned the approval mark IND/09/2005/525;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) working on the principle of load cell with digital indication of maximum capacity of 150 kg. and minimum capacity of 1 kg. The verification scale interval (e) is 50 g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity above 50 kg. and upto 500 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

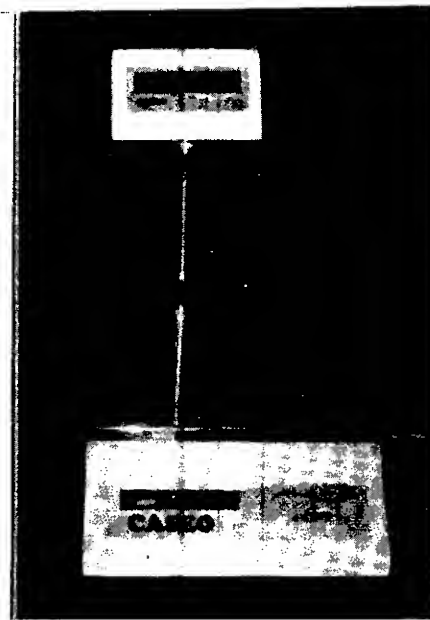
[F. No. WM-21(50)/1998]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का.आ. 3715.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डिजिटल स्केल्स एण्ड सर्विस, ठाकुर मार्केट, इलाहाबाद बिल्डिंग, रानी तलाब चौक, जबलपुर, मध्य प्रदेश द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले “सी बी जे” श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “के सी ओ” है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/190 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (टेबल टाप प्रकार) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 22 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा.

से 50 मि. ग्रा. तक “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

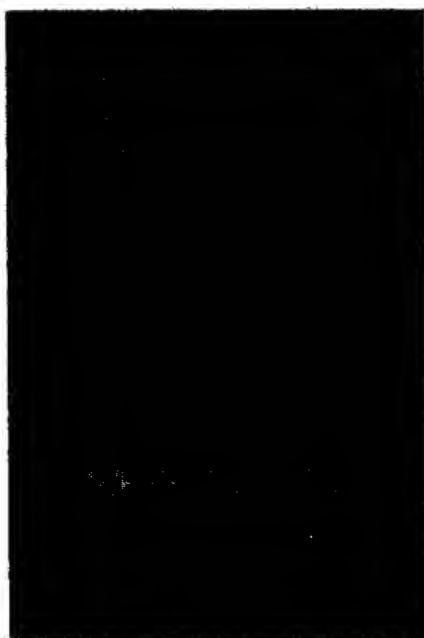
[फा. सं. डब्ल्यू एम-21(90)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3715.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "CBJ" series of high accuracy (Accuracy class-II) and with brand name "CASIO" (hereinafter referred to as the said model), manufactured by M/s. Digit Sales and Service, Thakur Market, Allahabad Building, Rani Talav Chouk, Jabalpur, Madhya Pradesh and which is assigned the approval mark IND/09/2005/190;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 22 Kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instruments operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured

[F. No. WM-21(90)/2003]

P. A. K. ISHNAMEORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का.आ. 3716.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स 'डिजिट सेल्स एण्ड सर्विस, ठाकुर मार्केट, इलाहाबाद बिल्डिंग, रानी तलाब चौक, जबलपुर, मध्य प्रदेश' विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "सी बी टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "के सी ओ" है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/191 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित (टेबल टॉप प्रकार का) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैम्पिंग प्लेट के सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

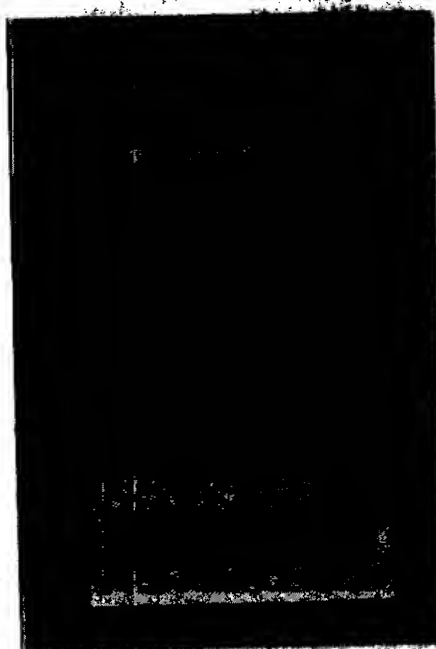
[फा. सं. डब्ल्यू एम-21(90)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3716.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table top type) with digital indication of "CB" series of medium accuracy (Accuracy class-III) and with brand name "CASIO" (herein, referred to as the said model), manufactured by M/s. Digit Sales and Service, Thakur Market, Allahabad Building, Rani Talav Chowk, Jabalpur, Madhya Pradesh and which is assigned the approval mark IND/09/2005/191;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured

[F. No. WM-21(90)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का.आ. 3717.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डिजिट सेल्स एण्ड सर्विस, ठाकुर मार्केट, इलाहाबाद बिल्डिंग, रानी तलाब चौक, जबलपुर, मध्य प्रदेश विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "सी बी पी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "के सी ओ" है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/192 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (प्लेटफार्म प्रकार) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित इसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 100 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

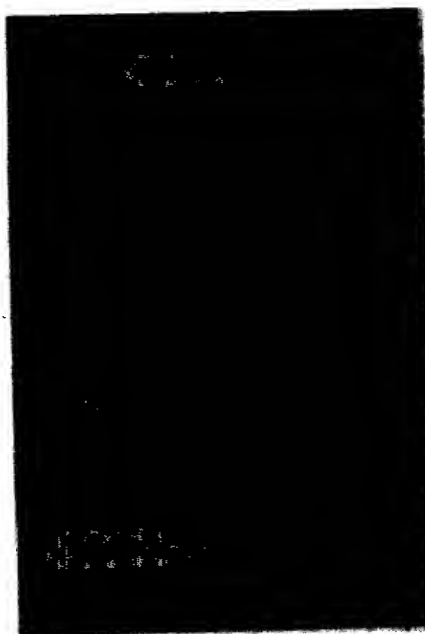
[फा. सं. डब्ल्यू एम-21(90)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3717.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform type) with digital indication of "CBP" series of medium accuracy (Accuracy class-III) and with brand name "CASIO" (herein referred to as the said model), manufactured by M/s. Digit Sales and Service, Thakur Market, Allahabad Building, Rani Talav Chowk, Jabalpur, Madhya Pradesh and which is assigned the approval mark IND/09/2005/192;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instruments operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 1000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured

[F. No. WM-21(90)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का.आ. 3718.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ग्लोबल इन्स्ट्रूमेंट कॉरपोरेशन, निवास प्रेसिडेंसी, पुलिस आयुक्त के कार्यालय के सामने, सरनपुर लिंक रोड, नासिक-422005 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "जी टी" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ग्लोबल" है और जिसे अनुमोदन चिह्न आई एन डी/09/2005/798 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सैल आधारित (टेबल टाप प्रकार का) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है;

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक "ई" मान के लिए 100 से 5000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(125)/2005]

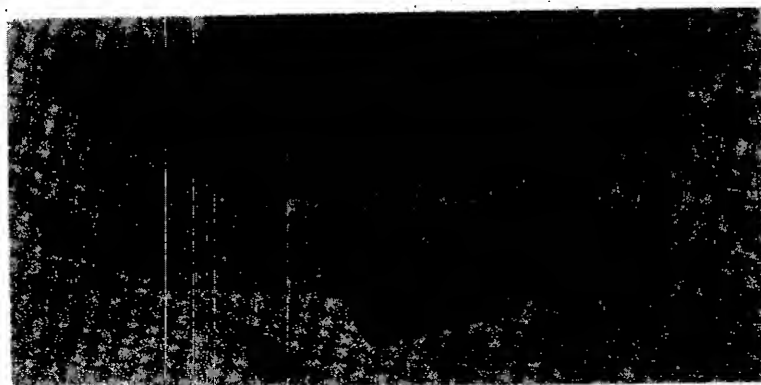
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3718.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of series "GT" of high accuracy (Accuracy class-II) and with brand name "GLOBAL" manufactured by M/s. Global Instruments Corporation, Niwas Presidency, Opp. Police Commissioner's Office, Sharanpur Link Road, Nashik-422 005 and which is assigned the approval mark IND/09/2005/798;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 Kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 100 to 5,000 for 'e' value of 1 mg. to 50 mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

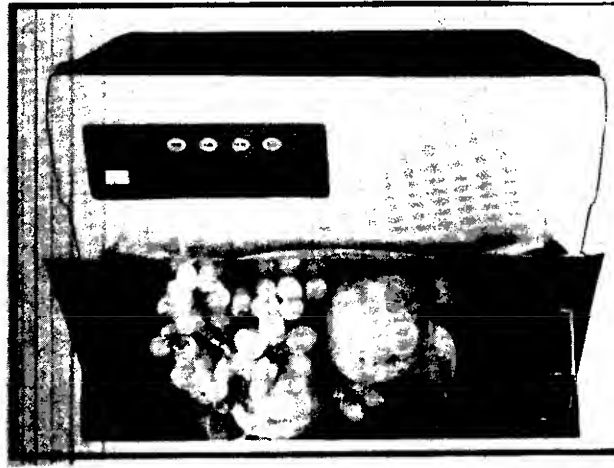
[F. No. WM-21(125)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का.आ. 3719.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें). बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स यूरो टेक्नोलॉजीज इंक, प्लेट सं. 124, पाकेट-1, सेक्टर 12, द्वारका, दिल्ली द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "ई आर टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "यूरो" है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/187 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित अंकक सूचन सहित लोड सेल के सिद्धान्त पर कार्य करने वाला अस्वचालित तोलन उपकरण (टेबल टाप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है;

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^6 , 2×10^6 या 5×10^6 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

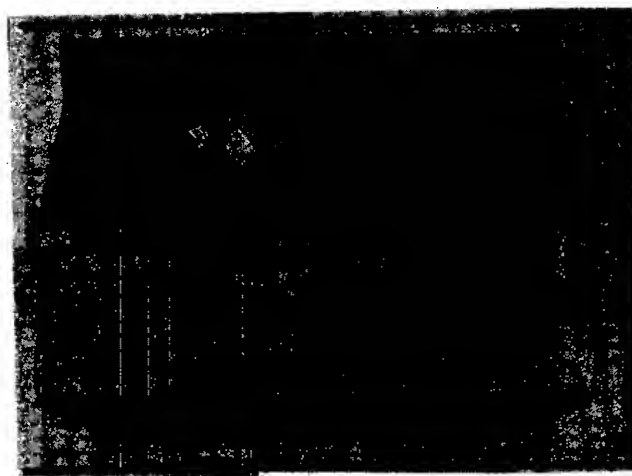
[फा. सं. डब्ल्यू एम-21(205)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3719.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "ERT" series of high accuracy (Accuracy class-II) and with brand name "EURO" (hereinafter referred to as the said model), manufactured by M/s. Euro Technologies Inc, Flat No. 124, Pocket-I, Sector-12, Dwaraka, Delhi and which is assigned the approval mark IND/09/2005/187;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) working on the principle of load cell with digital indication of maximum capacity 30kg. and minimum capacity of 100g. The value of verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg. to 50 mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured

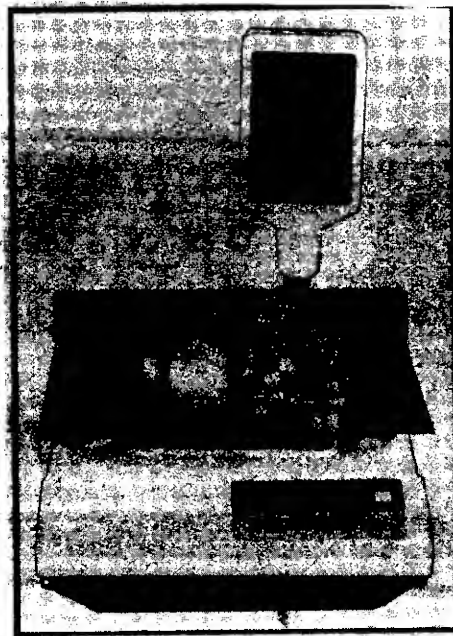
[F. No. WM-21(205)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का.आ. 3720.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स यूरो टेक्नोलॉजीज इंक, फ्लेट सं. 124, पाकेट-1, सेक्टर 12, द्वारका, दिल्ली द्वारा निर्मित मध्यम (यथार्थता वर्ग-III) वाले "ई यू टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "यूरो" है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/188 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।



उक्त मॉडल—एक विकृति गैज प्रकार का लोड सैल आधारित अंकक सूचन सहित लोड सैल के सिद्धान्त पर कार्य करने वाला अस्वचालित तोलन उपकरण (टेबल टोप प्रकार का) है। इसकी अधिकतम क्षमता 10 कि.ग्रा. और न्यूनतम क्षमता 40 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्वम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, के जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

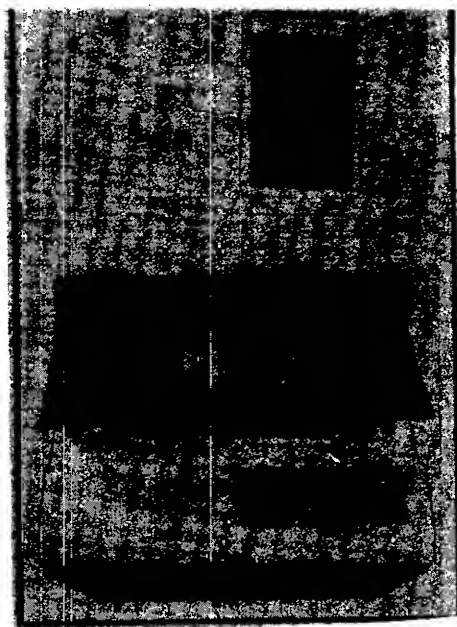
[फा. सं. डब्ल्यू एम-21(205)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3720.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication "EUT" series of medium accuracy (Accuracy class-III) and with brand name "EURO" (hereinafter referred to as the said model), manufactured by M/s. Euro Technologies Inc, Flat No. 124, Pocket-I, Sector-12, Dwaraka, Delhi and which is assigned the approval mark IND/09/2005/188;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) working on the principle of load cell with digital indication of maximum capacity 10kg. and minimum capacity of 40g. The value of verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instruments operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured

[F. No. WM-21(205)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का.आ. 3721.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स यूरो टेक्नोलोजीज इंक, प्लेट सं. 124, पाकेट-1, सेक्टर 12, द्वारका, दिल्ली द्वारा निर्मित मध्यम (यथार्थता वर्ग-III) वाले "ई यू पी" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "यूरो" है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/189 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।



उक्त मॉडल—एक विकृति गैज प्रकार का लोड सैल आधारित अंकक सूचन सहित लोड सैल के सिद्धांत पर कार्य करने वाला अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार का) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में मापमान (एन) अंतराल सहित 50 कि. ग्रा. से अधिक और 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, के जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

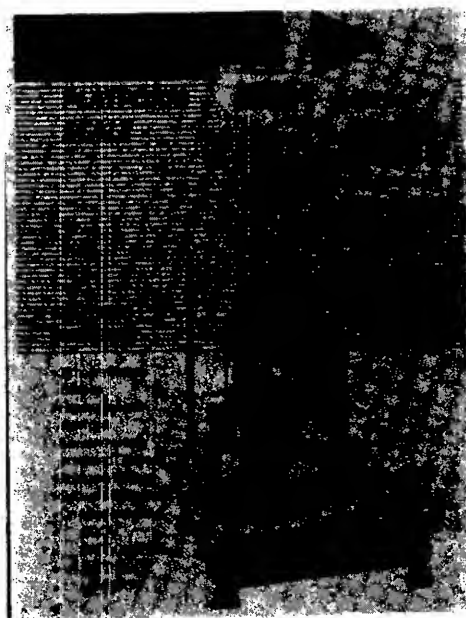
[फा. सं. डब्ल्यू एम-21(205)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3721.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication "EUP" series of medium accuracy (Accuracy class-III) and with brand name "EURO" (hereinafter referred to as the said model), manufactured by M/s. Euro Technologies Inc, Flat No. 124, Pocket-I, Sector-12, Dwarka, Delhi and which is assigned the approval mark IND/09/2005/189;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) working on the principle of load cell with digital indication of maximum capacity 500kg and minimum capacity of 2kg. The value of verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 1000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

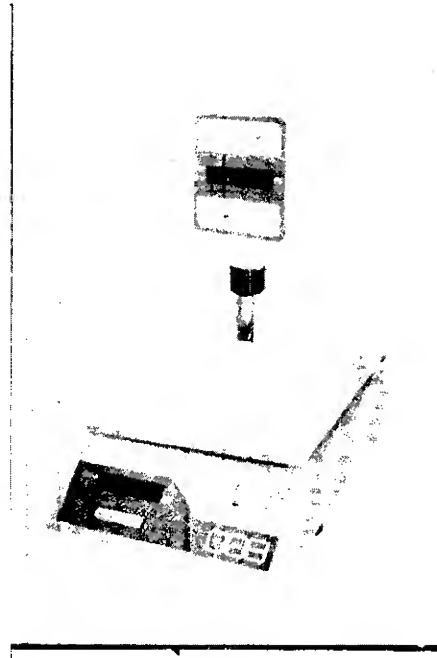
[F. No. WM-24(205)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का. आ. 3722.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए वेमैन इंडस्ट्रिज, सं. 6-1-917-8 टेलीफोन भवन से मिला हुआ, साफियाबाद, हैदराबाद-500004 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "डब्ल्यू एम आर टी" शृंखला के अस्वचालित, अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप) के मॉडल का, जिसके ब्रांड का नाम "वेमैन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2003/562 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप) है। जिसकी अधिकतम क्षमता 20 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त, मशीन को कपटपूर्ण व्यवहार के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्राम तक "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(255)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3722.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic (Table top type) weighing instrument with digital indication of "WMPRT" series of medium accuracy (Accuracy class-III) and with brand name "WEIGHMAN" (herein referred to as the said model), manufactured by M/s. Weighman Industries, No. 6-1-91/7-8, Adj Telephone Bhawan, Safiabad, Hyderabad-500004 and which is assigned the approval mark IND/09/2003/562;



The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 20 kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the approved model has been manufactured.

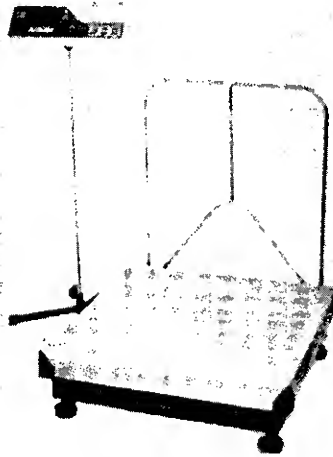
[F. No. WM-21(255)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का. आ. 3723.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए वेमैन इंडस्ट्रिज, सं. 6-1-91/7-8 टेलीफोन भवन से मिला हुआ, साफियाबाद, हैदराबाद-500004 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "डब्ल्यू एम पी एफ" श्रृंखला के अस्वचालित, अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वेमैन" है (जिसमें इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2003/563 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। जिसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त, मशीन कपटपूर्ण व्यवहार के लिए को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. से या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. और 1000 कि.ग्रा. तक की अधिकतम क्षमता रेंज वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

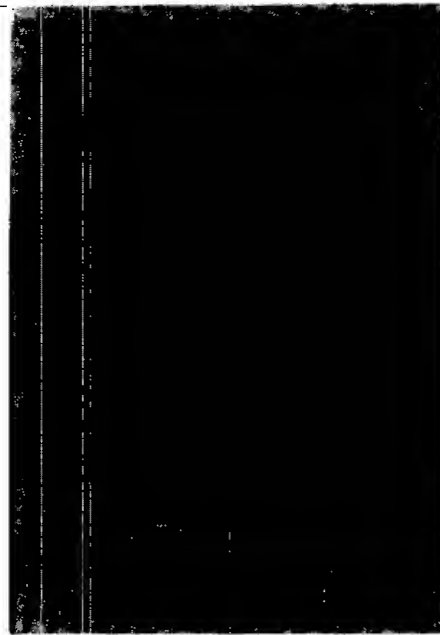
[फा.सं. डब्ल्यू एम-21(255)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3723.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic (Plate form type) weighing instrument with digital indication of "WMPF" series of medium accuracy (Accuracy class-III) and with brand name "WEIGHMAN" (herein referred to as the said model), manufactured by M/s. Weighman Industries, No. 6-1-91/7-8, Adj Telephone Bhawan, Safiabab, Hyderabad-500004 and which is assigned the approval mark IND/09/2003/563;



The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Plate form type) with a maximum capacity of 500kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instruments operates on 230V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 50kg and up to 1000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

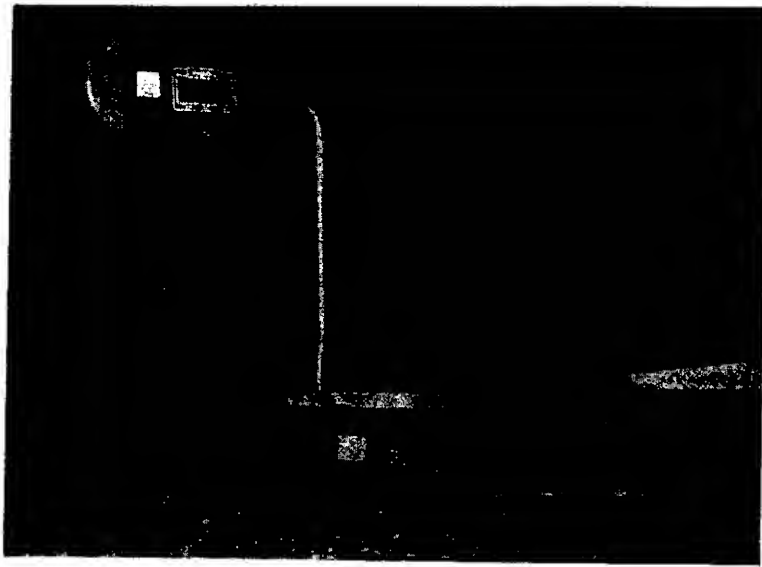
[F. No. WM-21(255)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का. आ. 3724.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिन्दुस्तान स्केल कंपनी, 11/69, ग्वालटोली, कानपुर, उत्तर प्रदेश द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "वी ई टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वीनस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2004/71 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त माडल एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 10 कि.ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए भी सील की जाएगी।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू एम-21(269)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3724.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table top type) with digital indication of "VET" series of high accuracy (Accuracy class-II) and with brand name "VENUS" (herein referred to as the said Model), manufactured by M/s. Hindustan Scale Company, 11/69, Gwaltoli, Kanpur, Uttar Pradesh and which is assigned the approval mark IND/09/2004/71;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 10kg and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

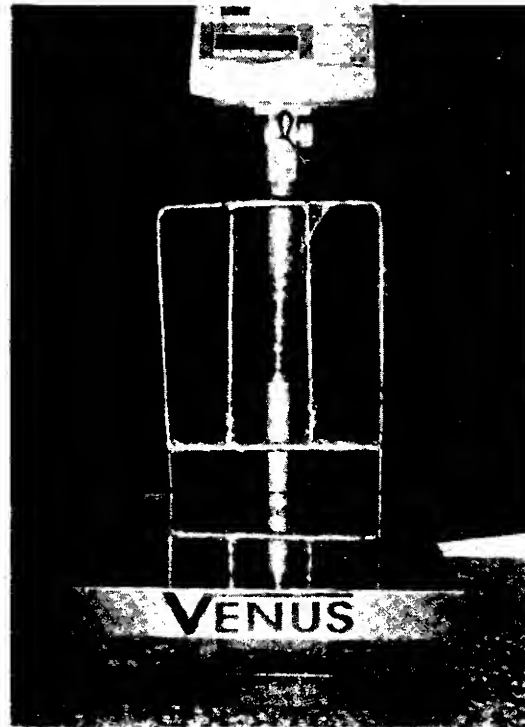
[F. No. WM-21(269)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का. आ. 3725.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिन्दुस्तान स्केल कंपनी, 11/69, ग्यालटोली, कानपुर, उत्तर प्रदेश द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-11) वाले "वी ई पी" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वीनस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/72 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। जिसकी अधिकतम क्षमता 600 कि.ग्रा. और न्यूनतम क्षमता 2.5 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।

स्टैम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए भी सील की जाएगी।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) अंतराल सहित 50 कि.ग्रा. और 10000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

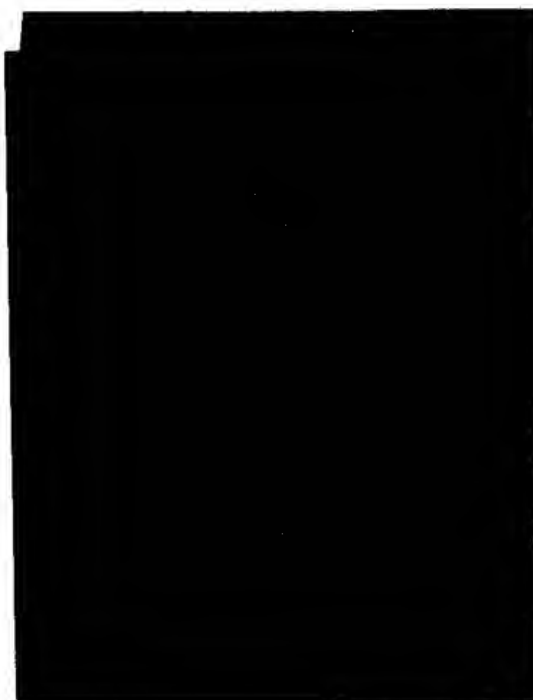
[फा.सं. डब्ल्यू एम-21(269)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3725.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform type) with digital indication of "VEP" series of high accuracy (Accuracy class-II) and with brand name "VENUS" (herein referred to as the said Model), manufactured by M/s. Hindustan Scale Company, 11/69, Gwaltoli, Kanpur, Uttar Pradesh and which is assigned the approval mark IND/09/2004/72:



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 600kg. and minimum capacity of 2.5kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instruments operates on 230 V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 1000 kg. with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved Model has been manufactured.

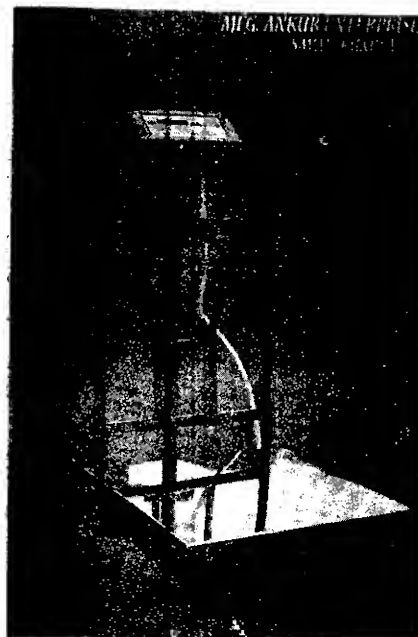
[F. No. WM-21(269)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का. आ. 3726.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स अंकुर इंटरप्राइजेज, कुनाल आई हास्पिटल रोड, बालाहनुमानजी के पास, सर्वकुण्डला-364515 द्वारा निर्मित यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "डी जी पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "डी जी एस ओ एन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2004/548 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार का) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त, मशीन को कपटपूर्ण व्यवहार के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि.ग्रा. से अधिक और 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

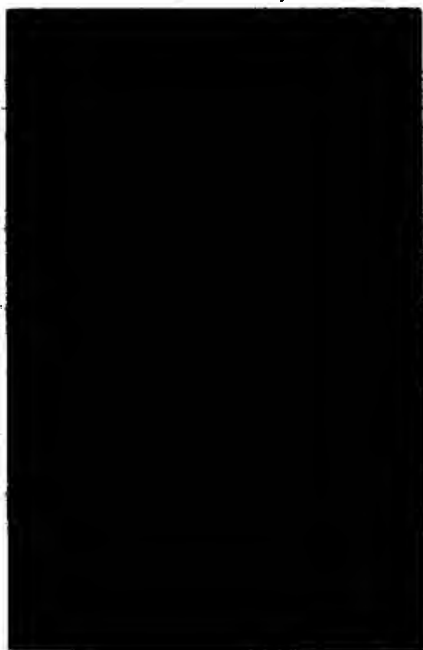
[फा.सं. डब्ल्यू एम-21(179)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3726.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Platform type) weighing instrument with digital indication of "DGP" series of medium accuracy (Accuracy class-III) and with brand name "DGSON" (herein referred to as the said model), manufactured by M/s. Ankur Enterprises, Kunal Eye Hospital Road, near Balahanumanji, Savarkundla- 364515 and which is assigned the approval mark IND/09/2004/548;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 1000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured.

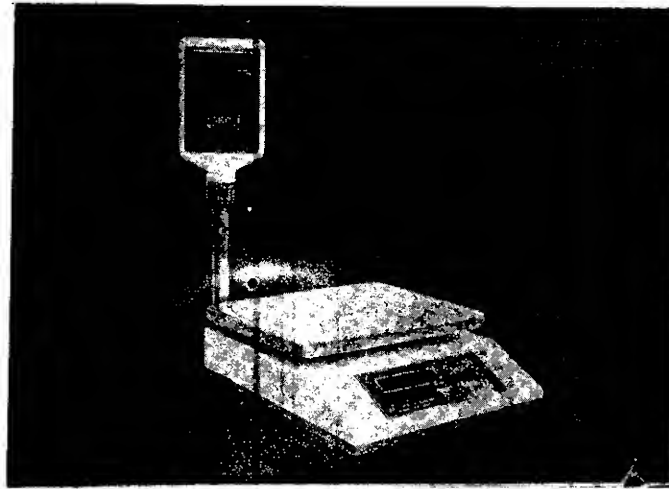
[F. No. WM-21(179)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 4 अक्टूबर, 2005

का. आ. 3727.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स अंकुर इंटरप्राइजेज, कुनाल आई हास्पिटल रोड, बालाहनुमानजी के पास, सर्वकुण्डला-364515 द्वारा निर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-11) वाले “डी जी पी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “डी जी एम ओ एन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2004/549 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गैज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार का) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा.से 50 मि.ग्रा.तक “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा.या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू एम-21(179)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 4th October, 2005

S.O. 3727.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "DGT" series of high accuracy (Accuracy class-II) and with brand name "DGSON" (hereinafter referred to as the said model), manufactured by M/s. Ankur Enterprises, Kunal Eye Hospital Road, near balahanumanji, Savarkundla- 364515 and which is assigned the approval mark IND/09/2004/549;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 20kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^3 , 2×10^3 , or 5×10^3 , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(179)/2003]

ANAMOORTHY, Director of Legal Metrology

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 15 सितम्बर, 2005

का. आ. 3728.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में पेट्रोलियम और प्राकृतिक गैस मंत्रालय प्रशासनिक नियंत्रणधीन सार्वजनिक क्षेत्र के उपक्रमों के निम्नलिखित कार्यालयों को, जिनके 80 या अधिक प्रतिशत कर्मचारी वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

गेल (इंडिया) लिमिटेड

1. गेल ट्रेनिंग इंस्टीट्यूट
गेल (इंडिया) लिमिटेड
24, सेक्टर-16ए,
नोएडा-201301
जिला—गौतम बुद्ध नगर (उ.प्र.)

ओएनजीसी लिमिटेड

2. ओएनजीसी विदेश लि.
कैलाश बिल्डिंग, छठी मंजिल,
26, कस्तूरबा गांधी मार्ग,
नई दिल्ली-110001

पीसीआरए

3. पीसीआरए मुख्यालय
संरक्षण भवन
10, भीकाजी कामा प्लेस,
नई दिल्ली-110066

सीएचटी

4. सीएचटी, पांचवा तल, कोर-6,
स्कोप काम्प्लेक्स, लोधी रोड,
नई दिल्ली-110003

एचपीसीएल

5. जालंधर रिटेल क्षेत्रीय कार्यालय
एचपीसीएल, सुखी पिंड,
जीटी बाई पास रोड,
जालंधर-144009
6. जीन्द एलपीजी क्षेत्रीय कार्यालय,
एचपीसीएल, रोहतक रोड,
जीन्द-126102
7. सिलीगुड़ी टीओपी, एचपीसीएल
द्वारा इंडियन आयल टर्मिनल
भक्ति नगर,
न्यू जलपाइगुड़ी-734425

इंडियन आयल कार्पोरेशन लिमिटेड

8. पश्चिमी क्षेत्र, आईओसी
कांडला भटिंडा पाइपलाइन,
जलिया रोड, व्यावर,
जिला अजमेर-305901 (राजस्थान)
9. सलाया-मथुरा पाइपलाइन, आईओसी,
प्रचालन कार्यालय,
ठेवा, जामनगर
10. पश्चिमी क्षेत्र पाइपलाइन,
आईओसी,
बारेजा-बारेजाडी रोड, बारेजा,
जिला—अहमदाबाद-382429
11. उत्तरी क्षेत्र पाइपलाइन,
आईओसी,
रेवाड़ी (हरियाणा)
12. कांडला-भटिंडा पाइपलाइन,
आईओसी,
कांडला
13. मथुरा जालंधर पाइपलाइन
आईओसी,
उत्तरी क्षेत्र,
टुण्डला
14. हल्दिया-बरौनी क्रूड पाइपलाइन,
बरौनी टर्मिनल
पो.ओ.-बरौनी, आयल रिफाइनरी,
जिला—बेगूसराय-851114 (बिहार)

[सं. 11011/1/2005-2006 (हिन्दी)]

सी.डी. मलिक, उप निदेशक (रा.भा.)

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 15th September, 2005

S.O. 3728.—In pursuance of Sub Rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Public Sector Undertakings under the administrative control of the Ministry of Petroleum & Natural Gas, in which the 80 or more per cent staff have acquired working knowledge of Hindi :—

Gail (India) Ltd.

1. Gail Training Institute
24, Sector-16A,
NOIDA-201301
Distt. Gautam Budh Nagar (UP)

ONGC Ltd.

2. ONGC Videsh Ltd.
Kailash Building, 6th Floor,
26, Kasturba Gandhi Marg,
New Delhi-110001

PCRA

3. PCRA Head Quarter
Sanrakshan Bhavan
10, Bhikaji Cama Place
New Delhi-110066

CHT

4. CHT, 5th Floor, Core-6
Scope Complex, Lodhi Road
New Delhi-110003

HPCL

5. Jallundhar Retail Regional Office, HPCL
Suchchi Pind,
G.T. Bye Pass Road,
Jallundhar-144009
6. Jind LPG Regional Office, HPCL
Rohtak Road,
Jind-126102
7. Siliguri TOP, HPCL
C/o Indian Oil Terminal
Bhakti Nagar
New Jalpaiguri-734425

Indian Oil Corporation Ltd.

8. Western Region, IOC
Kandla-Bhatinda Pipeline
Zalia Road, Beavar
Distt. Ajmer-305901 (Raj.)
9. Salaya-Mathura Pipeline, IOC
Operation Office
Thewa
Janmagar
10. Western Region Pipeline
IOC
Bareja-Barejadi Road, Bareja
Distt. Ahmedabad-382429
11. Northern Region Pipeline
IOC
Rewari (Haryana)
12. Kandla-Bhatinda Pipeline,
IOC Kandla
13. Mathura Jallundhar Pipeline
IOC
Northern Region
Tundla
14. Haldiya Barauni Crude Pipeline
Barauni Terminal
P.O. Barauni Oil Refinery
Distt. Begusarai-851114 (Bihar)

[No. 11011/1/2005-2006 (Hindi)]

C. D. MALIK, Dy. Director (OL)

नई दिल्ली, 5 अक्टूबर, 2005

का. आ. 3729.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की नीचे दी गई अनुसूची में तथा उल्लिखित तारीखों की अधिसूचना संख्या का.आ. द्वारा, उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया था;

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमियों में जो सभी विलंगमों से मुक्त, उपयोग का अधिकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित किया था :

और सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि सलाया-मथुरा पाइपलाइन प्रणाली प्रयोजना के क्रियान्वयन हेतु विरमगाम-चाकसू, चाकसू-पानीपत एवं चाकसू-मथुरा सेक्शन की संवर्द्धन परियोजना हेतु विरमगाम (गुजरात राज्य में) से चाकसू (राजस्थान राज्य में) होते हुए पानीपत (हरियाणा राज्य में) तक अपरिष्कृत तेल का परिवहन करने हेतु पाइपलाइन बिछाई जा चुकी है अतः उस भूमि के बारे में जिसका संक्षिप्त विवरण इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट किया गया है, ऐसे प्रचालन को समाप्त किया जाए :

अतः अब, केन्द्रीय सरकार, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1963 के नियम 4 के स्पष्टीकरण-1 के अधीन अपेक्षानुसार उक्त अनुसूची के स्तम्भ 6 में उल्लिखित तारीखों को प्रचालन की समाप्ति की तारीखों के रूप में जोषित करती है। अनुसूची संलग्न।

अनुसूची

का. आ. सं. एवं तारीख	ग्राम	तहसील	जिला	राज्य	प्रचालन की समाप्ति की तारीख
1	2	3	4	5	6
3611, 14-11-02	हुसैनपुर	रेवाडी	रेवाडी	हरियाणा	17-04-2004
	रामपुरा	रेवाडी	रेवाडी	हरियाणा	17-04-2004
	कुतुबपुरमौला	रेवाडी	रेवाडी	हरियाणा	16-04-2004
	कानामाजरा	रेवाडी	रेवाडी	हरियाणा	16-04-2004
	चान्दावास	रेवाडी	रेवाडी	हरियाणा	16-04-2004
	भूडपुर	रेवाडी	रेवाडी	हरियाणा	15-04-2004
	गोकलगढ़	रेवाडी	रेवाडी	हरियाणा	14-04-2004
	आसपुर	रेवाडी	रेवाडी	हरियाणा	15-04-2004
	गिन्दोखर	रेवाडी	रेवाडी	हरियाणा	15-04-2004
	राजपुरा खालसा	रेवाडी	रेवाडी	हरियाणा	14-04-2004
	लसाना	रेवाडी	रेवाडी	हरियाणा	14-04-2004
	बीकानेर	रेवाडी	रेवाडी	हरियाणा	13-04-2004
	शेखपुर-शिकारपुर	रेवाडी	रेवाडी	हरियाणा	13-04-2004
	मुस्तफापुर	रेवाडी	रेवाडी	हरियाणा	12-04-2004
	टेहना दिपायलपुर	रेवाडी	रेवाडी	हरियाणा	12-04-2004
	रोहडख	रेवाडी	रेवाडी	हरियाणा	10-04-2004
	पहराजख	रेवाडी	रेवाडी	हरियाणा	01-04-2004
	पहलावास	रेवाडी	रेवाडी	हरियाणा	03-04-2004
	गुरावडा	रेवाडी	रेवाडी	हरियाणा	30-03-2004
	हंसावार	रेवाडी	रेवाडी	हरियाणा	28-03-2004
	गादला	रेवाडी	रेवाडी	हरियाणा	28-03-2004
	काहनोरा	रेवाडी	रेवाडी	हरियाणा	27-03-2004
	काहनोरी	रेवाडी	रेवाडी	हरियाणा	26-03-2004
	डालीयाकी	रेवाडी	रेवाडी	हरियाणा	18-04-2004
	जदुवास	रेवाडी	रेवाडी	हरियाणा	20-04-2004
	भिवाडी	रेवाडी	रेवाडी	हरियाणा	30-04-2004
	भाडावास	रेवाडी	रेवाडी	हरियाणा	25-04-2004
	अशाका	रेवाडी	रेवाडी	हरियाणा	25-04-2004
	अकबरपुर	रेवाडी	रेवाडी	हरियाणा	25-04-2004
	बाढ़ बसोता	रेवाडी	रेवाडी	हरियाणा	10-04-2004
	रसूलपुर	रेवाडी	रेवाडी	हरियाणा	06-04-2004
	चांग	रेवाडी	रेवाडी	हरियाणा	01-04-2004
	गरावड	झज्जर	झज्जर	हरियाणा	11-03-2004
	कैमलगढ़	झज्जर	झज्जर	हरियाणा	10-03-2004
	झज्जर	झज्जर	झज्जर	हरियाणा	12-03-2004
3332, 18-10-2002	सिलानी पाना	झज्जर	झज्जर	हरियाणा	14-03-2004
	केशो				
	सिलानी पाना जालिम	झज्जर	झज्जर	हरियाणा	16-03-2004
	गिजाडोद	झज्जर	झज्जर	हरियाणा	16-03-2004

1	2	3	4	5	6
	दादनपुर	झज्जर	झज्जर	हरियाणा	18-03-2004
	रायेपुर	झज्जर	झज्जर	हरियाणा	17-03-2004
	चौंदपुर	झज्जर	झज्जर	हरियाणा	18-03-2004
	माछरोली	झज्जर	झज्जर	हरियाणा	19-03-2004
	असदपुरखेडा	झज्जर	झज्जर	हरियाणा	20-03-2004
	अहरी	झज्जर	झज्जर	हरियाणा	21-03-2004
	कोका	झज्जर	झज्जर	हरियाणा	22-03-2004
2479, 24-07-2002 एवं 3405, 21-10-2002	छारा	बहादुरगढ़	झज्जर	हरियाणा	08-03-2004
	अगरपुर	बहादुरगढ़	झज्जर	हरियाणा	08-03-2004
	पोलंगी	रोहतक	रोहतक	हरियाणा	14-05-2004
	रूडकी	रोहतक	रोहतक	हरियाणा	15-05-2004
	भालोट	रोहतक	रोहतक	हरियाणा	16-05-2004
1151, 03-04-2002	पाक्समा	रोहतक	रोहतक	हरियाणा	22-05-2004
	नौनन्द	रोहतक	रोहतक	हरियाणा	12-05-2004
	गान्धरा	रोहतक	रोहतक	हरियाणा	10-05-2004
	इस्माईला-9 बिस्वा	रोहतक	रोहतक	हरियाणा	05-05-2004
	इस्माईला-11 बिस्वा	रोहतक	रोहतक	हरियाणा	03-05-2004
	कुल्ताना	रोहतक	रोहतक	हरियाणा	07-03-2004
	खानपुर कलां	गोहाना	सोनीपत	हरियाणा	12-08-2004
	जौली	गोहाना	सोनीपत	हरियाणा	19-08-2004
	शामडी सीसान	गोहाना	सोनीपत	हरियाणा	11-08-2004
	शामडी बुरान	गोहाना	सोनीपत	हरियाणा	10-08-2004
3333, 18-10-2002 एवं 776, 06-03-2002	ककाना बहादुरी	गोहाना	सोनीपत	हरियाणा	14-08-2004
	नयात	गोहाना	सोनीपत	हरियाणा	17-08-2004
	लाठ	गोहाना	सोनीपत	हरियाणा	20-05-2004
	कटवाल	गोहाना	सोनीपत	हरियाणा	5-05-2004
	भेंसवाल कलां बावला	गोहाना	सोनीपत	हरियाणा	13-05-2004
	भेंसवाल कलां मिठान	गोहाना	सोनीपत	हरियाणा	13-05-2004
	बिलबिलान	गोहाना	सोनीपत	हरियाणा	13-05-2004
	आंवली	गोहाना	सोनीपत	हरियाणा	14-05-2004
	गिवाना	गोहाना	सोनीपत	हरियाणा	15-05-2004
2481, 24-07-2002 एवं 3464, 28-10-2002	कारद	इसराना	पानीपत	हरियाणा	05-08-2004
	इसराना	इसराना	पानीपत	हरियाणा	06-08-2004
	शाहपुर	इसराना	पानीपत	हरियाणा	07-08-2004
	कायथ	इसराना	पानीपत	हरियाणा	07-08-2004
	बुआना लाखु	इसराना	पानीपत	हरियाणा	07-08-2004
	बालजाटान	पानीपत	पानीपत	हरियाणा	20-05-2004
	खण्डरा	पानीपत	पानीपत	हरियाणा	01-08-2004

1	2	3	4	5	6
2480, 24-07-2002	आसनकलां	पानीपत	पानीपत	हरियाणा	01-08-2004
एवं 3465, 28-10-2002	आसनखुर्द	पानीपत	पानीपत	हरियाणा	02-08-2004
	उन्टला	पानीपत	पानीपत	हरियाणा	01-08-2004
	सुताना	पानीपत	पानीपत	हरियाणा	02-08-2004
	लोहारी	पानीपत	पानीपत	हरियाणा	02-08-2004
	कालखा	पानीपत	पानीपत	हरियाणा	03-08-2004

[फा. सं. आर-25011/8/2005-ओ आर -1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 5th October, 2005

S.O. 3729.—Whereas, by Notifications of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. and date as mentioned in the Schedule attached issued under Sub-section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government acquired the right of user in the lands specified in the Schedule appended to those notifications;

And, whereas, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government vested the right of user in the said land, free from all encumbrances in the Indian Oil Corporation Limited;

And, whereas, the Competent Authority has made a report to the Central Government that the pipeline for the purpose of transportation of crude oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the "Augmentation of Viramgam-Chaksu, Chaksu-Panipat and Chaksu-Mathura sections of Salaya-Mathura Pipeline System Project" has been laid in the said land, so the operation may be terminated in respect of the land the description of which in brief is specified in the Schedule annexed to this notification;

Now, therefore, as required under explanation-1 of rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Central Government declares the dates mentioned in Column 6 of the said Schedule as the dates of termination of operation.

SCHEDULE

S.O. No. & Date	Name of the Village	Tehsil	District	State	Date of Termination of Operation
1	2	3	4	5	6
	Husainpur	Rewari	Rewari	Haryana	17-04-2004
	Rampura	Rewari	Rewari	Haryana	17-04-2004
	Qutabpur Maula	Rewari	Rewari	Haryana	16-04-2004
	Kana Majra	Rewari	Rewari	Haryana	16-04-2004
	Chandawas	Rewari	Rewari	Haryana	16-04-2004
	Bhudpur	Rewari	Rewari	Haryana	15-04-2004
3611, 14-11-2002	Gokalgarh	Rewari	Rewari	Haryana	14-04-2004
	Aaspur	Rewari	Rewari	Haryana	15-04-2004
	Gindokhar	Rewari	Rewari	Haryana	15-04-2004
	Rajpura Khalsa	Rewari	Rewari	Haryana	14-04-2004
	Lasana	Rewari	Rewari	Haryana	14-04-2004
	Bikaner	Rewari	Rewari	Haryana	13-04-2004

1	2	3	4	5	6
	Shekhpur-Shikarpur	Rewari	Rewari	Haryana	13-04-2004
	Mustfapur	Rewari	Rewari	Haryana	12-04-2004
	Tehna Dipalpur	Rewari	Rewari	Haryana	12-04-2004
	Rohrai	Rewari	Rewari	Haryana	10-04-2004
	Pehrajwas	Rewari	Rewari	Haryana	01-04-2004
	Pahlawas	Rewari	Rewari	Haryana	03-04-2004
	Gurawara	Rewari	Rewari	Haryana	30-03-2004
	Hansawas	Rewari	Rewari	Haryana	28-03-2004
	Gadla	Rewari	Rewari	Haryana	28-03-2004
	Kahnora	Rewari	Rewari	Haryana	27-03-2004
	Kahnori	Rewari	Rewari	Haryana	26-03-2004
	Daliyaki	Rewari	Rewari	Haryana	18-04-2004
	Jatuwas	Rewari	Rewari	Haryana	20-04-2004
	Bhiwadi	Rewari	Rewari	Haryana	30-04-2004
	Bhadawas	Rewari	Rewari	Haryana	25-04-2004
3611,	Ashaka	Rewari	Rewari	Haryana	25-04-2004
14-11-02	Akbarpur	Rewari	Rewari	Haryana	25-04-2004
	Badh Basota	Rewari	Rewari	Haryana	10-04-2004
	Rasulpur	Rewari	Rewari	Haryana	06-04-2004
	Chang	Rewari	Rewari	Haryana	01-04-2004
	Garavar	Jhajjar	Jhajjar	Haryana	11-03-2004
	Kaimalgarh	Jhajjar	Jhajjar	Haryana	10-03-2004
	Jhajjar	Jhajjar	Jhajjar	Haryana	12-03-2004
	Silanipana zalim	Jhajjar	Jhajjar	Haryana	16-03-2004
3332,	Silanipana kesho	Jhajjar	Jhajjar	Haryana	14-03-2004
18-10-02	Gijarodh	Jhajjar	Jhajjar	Haryana	16-03-2004
	Raipur	Jhajjar	Jhajjar	Haryana	17-03-2004
	Dadanpur	Jhajjar	Jhajjar	Haryana	18-03-2004
	Chandpur	Jhajjar	Jhajjar	Haryana	18-03-2004
	Machhrauli	Jhajjar	Jhajjar	Haryana	19-03-2004
	Asadpurkhera	Jhajjar	Jhajjar	Haryana	20-03-2004
	Ahri	Jhajjar	Jhajjar	Haryana	21-03-2004
	Koka	Jhajjar	Jhajjar	Haryana	22-03-2004
2479,	Chhara	Bahadurgarh	Jhajjar	Haryana	08-03-2004
24-07-02 & 3405, 21-10-02	Aggarpur	Bahadurgarh	Jhajjar	Haryana	08-03-2004
	Polungi	Rohtak	Rohtak	Haryana	14-05-2004
	Roorkee	Rohtak	Rohtak	Haryana	15-05-2004
1151,	Bhallot	Rohtak	Rohtak	Haryana	16-05-2004
03-04-02	Pakasma	Rohtak	Rohtak	Haryana	22-05-2004

1	2	3	4	5	6
	Nounad	Rohtak	Rohtak	Haryana	12-05-2004
	Gandhra	Rohtak	Rohtak	Haryana	10-05-2004
	Ismaila-9b	Rohtak	Rohtak	Haryana	05-05-2004
	Ismaila-11b	Rohtak	Rohtak	Haryana	03-05-2004
	Kultana	Rohtak	Rohtak	Haryana	07-03-2004
	Khanpur Kalan	Gohana	Sonepat	Haryana	12-08-2004
	Jauli	Gohana	Sonepat	Haryana	19-08-2004
	Shamri Buran	Gohana	Sonepat	Haryana	10-08-2004
	Shamri Seesan	Gohana	Sonepat	Haryana	11-08-2004
3333, 18-10-02 & 776,06-03-02	Kakana Bahaduri Nayat	Gohana	Sonepat	Haryana	14-08-2004
	Lath	Gohana	Sonepat	Haryana	17-08-2004
	Katwal	Gohana	Sonepat	Haryana	20-05-2004
	Bhainswal Kalan Bawla	Gohana	Sonepat	Haryana	05-05-2004
	Bhainswal Kalan Mithan	Gohana	Sonepat	Haryana	13-05-2004
	Bibilan	Gohana	Sonepat	Haryana	13-05-2004
	Anwali	Gohana	Sonepat	Haryana	14-05-2004
	Giwana	Gohana	Sonepat	Haryana	15-05-2004
	Karadh	Israna	Panipat	Haryana	05-08-2004
2481, 24-07-02	Israna	Israna	Panipat	Haryana	06-08-2004
& 3464, 28-10-02	Shahpur Kayath	Israna	Panipat	Haryana	07-08-2004
	Buana Lakhu	Israna	Panipat	Haryana	07-08-2004
	Balzattan	Panipat	Panipat	Haryana	20-05-2004
2480, 24-07-02	Khandra	Panipat	Panipat	Haryana	01-08-2004
& 3465, 28-10-02	Asankalan Asankhurd	Panipat	Panipat	Haryana	01-08-2004
	Untala	Panipat	Panipat	Haryana	02-08-2004
	Sutana	Panipat	Panipat	Haryana	01-08-2004
	Lohari	Panipat	Panipat	Haryana	02-08-2004
	Kalkha	Panipat	Panipat	Haryana	03-08-2004

नई दिल्ली, 5 अक्टूबर, 2005

का. आ. 3730.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. और तारीख की नीचे दी गई अनुसूची में यथाउल्लेखित तारीख की अधिसूचना, का.आ. संख्या द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि के अधिकार के अर्जन का अधिकार प्राप्त किया था;

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमियों में जो सभी विलंगनों से मुक्त है, उपयोग का अधिकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित किया था।

और सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि विरमगाम (गुजरात राज्य) से चाकसू (राजस्थान राज्य) तक पेट्रोलियम उत्पादों के परिवहन के प्रयोजन के लिए गुजरात राज्य के अनुसूची में उक्त सिद्धपुर, वडगांव, पालनपुर व अमीरगढ़ तालुका में मार्गाधिकार में स्थित ग्रामों की भूमियों में पाइपलाइन बिछाई जा चुकी है। अतः इन भूमियों में प्रचालन की समाप्ति की जाए जिसका संक्षिप्त विवरण इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट किया जाता है।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1963 के नियम 4 के स्पष्टीकरण-1 के अधीन अपेक्षानुसार उक्त अनुसूची के स्तम्भ 7 में उल्लिखित तारीख की प्रचालन की समाप्ति की तारीखों के रूप में घोषित करती है।

अनुसूची

क्र.सं.	का.आ.सं. एवं दिनांक	ग्राम का नाम	तहसील	जिला	राज्य	प्रचालन की समाप्ति की तारीख
1	2	3	4	5	6	7
1	1596 दि. 07-05-02 3681 दि. 22-11-02 1605 दि. 28-05-03	सिद्धपुर सुजाणपुर सेद्राणा	सिद्धपुर	पाटण	गुजरात	31-10-04
2	1957 दि. 10-06-02 3608 दि. 14-11-02 3609 दि. 14-11-02 373 दि. 30-01-03 470 दि. 24-02-04	तेनीवाडा रजोसना छापी मजादर शेरपुरा भरकावाडा	वडगांव	बनासकांठा	गुजरात	31-10-04
3	1730 दि. 24-05-02 3402 दि. 21-10-02 3403 दि. 21-10-02 3404 दि. 21-10-02 2334 दि. 08-08-03	कजोदर जगाणा इस्वीपुरा पालनपुर सोनगढ़ करकाडिया (सेगंरुजा) खेमाणा मलाणा हेबतपुर पित्रासणी चांडगाठा कोटाडा	पालनपुर	बनासकांठा	गुजरात	31-10-04
4	1726 दि. 22-05-02	राजपुरीया बांटावाडा	अमीरगढ़	बनासकांठा	गुजरात	31-10-04

1	2	3	4	5	6	7
	3466	दि. 28-10-02	जैथी			
			इकबालगढ			
	3467	दि. 28-10-02	जांजरवाव			
			जूनी रो सरोत्री			
			लक्ष्मीपुरा			
			धोलीया			
			कालीमाटी			
			धनपुरा			
			जोरापुरा			
			खुणीया			
			किडोतर			
			अमीरगढ			
			डूंगरपुरा			
			निचलाबन्ध			
			आवस			

[सं. आर-25011/9/2005-ओआर-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 5th October, 2005

S.O. 3730.—Whereas, by the Notifications of the Government of India in the Ministry of Petroleum and Natural Gas, S.O. Number and date as mentioned in the schedule below issued under Sub-section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government acquired the right of user in the lands specified in the Schedule appended to those notification;

And, whereas, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government vested the right of user in the said land, free from all encumbrances in the Indian Oil Corporation Limited;

And, Whereas, the Competent Authority has made a report to the Central Government that the pipeline for the purpose of transport of petroleum products from Virngam in the State of Gujarat to Chaksu in the state of Rajasthan through the villages in Sidhpur, Vadgam, Palanpur and Amirgarh Taluka in the State of Gujarat mentioned in the Schedule has been laid in the said lands so the operation may be terminated in respect of the ROW (Right of Way) in land description of which in brief is specified in the Schedule annexed to this notification;

Now, therefore, as required under explanation-1 of rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) rules, 1963, the Central Government hereby declares the dates mentioned in Column 6 of the said Schedule as the dates of termination of operation.

SCHEDULE

S. No.	S.O. No. & Date	Name of Village	Taluka	District	State	Date of Termination of operation
1	2	3	4	5	6	7
1	1596 Dt. 07-05-02	Sidhpur	Sidhpur	Patan	Gujarat	31-10-04
	3681 Dt. 22-11-02	Sujanpur				
	1605 Dt. 28-05-03	Sedrana				
2	1957 Dt. 10-06-02	Teniwada	Vadgam	Banaskantha	Gujarat	31-10-04
	3608 Dt. 14-11-02	Rajosana				

1	2	3	4	5	6	7
	3609 Dt. 14-11-02	Chhapi				
	373 Dt. 30-10-03	Majadar				
	470 Dt. 24-02-04	Sherpura				
		Bharkawada				
3	1730 Dt. 24-05-02	Kanodar	Palanpur	Banaskantha	Gujarat	31-10-04
		Jagana				
	3402 Dt. 21-10-02	Eshipura				
		Palanpur				
	3403 Dt. 21-10-02	Songadh				
		Varvadiya				
		(Sengparia)				
	3404 Dt. 21-10-02	Khemana				
		Malana				
	2334 Dt. 08-08-03	Hebatpur				
		Chitrawani				
		Chandgh Kotada				
4	1726 Dt. 22-05-02	Rajpuriya	Amirgadh	Banaskantha	Gujarat	31-10-04
		Bantawada				
	3466 Dt. 28-10-02	Jethi				
		Iqbalgadh				
	3467 Dt. 28-10-02	Zanarvav				
		Juni Roh Sarotri				
		Laxmipura				
		Dholia				
		Kalimati				
		Dhanpura				
		Jorapura				
		Khuniya				
		Kidotar				
		Amirgadh				
		Dungarpura				
		Nichlobandh				
		Alwal				

[No. R-25011/9/2005-OR-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 5 अक्टूबर, 2005

का.आ. 3731.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. और तारीख के नीचे दी गई अनुसूची में यथाउल्लेखित तारीख की अधिसूचना, का. आ. संख्या द्वारा, उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि के अधिकार के अर्जन का अधिकार प्राप्त किया था।

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमियों में जो सभी विलगनों से मुक्त हैं, उपयोग का अधिकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित किया था।

और सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि विरमगाम से कोयली (गुजरात राज्य) तक पेट्रोलियम उत्पादकों के परिवहन के प्रयोजन के लिए गुजरात राज्य के अनुसूची में उक्त विरमगाव, साणंद, दसकोई, महेमदाबाद, मातर, नडियाद, पेटलाद, आणंद, बारसद, आकंलाव व वडोदरा तालुका में स्थित ग्रामों की भूमियों में पाइपलाइन बिछाई जा चुकी है। अतः इन भूमियों में प्रचालन की समाप्ति की जाए जिसका संक्षिप्त विवरण इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट किया जाता है।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के स्पष्टीकरण-1 के अधीन अपेक्षानुसार उक्त अनुसूची के स्तम्भ 7 में उल्लिखित तारीख की प्रचालन की समाप्ति की तारीखों के रूप में घोषित करती है।

अनुसूची

क्र.सं.	का.आ.सं. दिनांक	एवं	ग्राम का नाम	तहसील	जिला	राज्य	प्रचालन की समाप्ति की तारीख
1	2		3	4	5	6	7
1.	2691 20-08-2002		हांसलपुर	विरमगाम	अहमदाबाद	गुजरात	09-08-2003
			सरेभ्रवर	विरमगाम	अहमदाबाद	गुजरात	09-08-2003
			सोकली	विरमगाम	अहमदाबाद	गुजरात	09-08-2003
			जंझाडा	विरमगाम	अहमदाबाद	गुजरात	09-08-2003
			शियाल	विरमगाम	अहमदाबाद	गुजरात	09-08-2003
			(कल्याणपुर)				
			सचाणा	विरमगाम	अहमदाबाद	गुजरात	09-08-2003
2.	625 17-02-2002		हांसलपुर	विरमगाम	अहमदाबाद	गुजरात	09-08-2003
			सरेभ्रवर	विरमगाम	अहमदाबाद	गुजरात	09-08-2003
3.	2973 16-09-2002		खोरज	सांणद	अहमदाबाद	गुजरात	09-08-2003
			कलाणा	सांणद	अहमदाबाद	गुजरात	09-08-2003
			नोर्थ कोटपुरा	सांणद	अहमदाबाद	गुजरात	09-08-2003
			(छारोही)				
			खोडा	सांणद	अहमदाबाद	गुजरात	09-08-2003
			रुपावती	सांणद	अहमदाबाद	गुजरात	09-08-2003
			वसोदरा	सांणद	अहमदाबाद	गुजरात	09-08-2003
			सांणद	सांणद	अहमदाबाद	गुजरात	09-08-2003
			कोलट	सांणद	अहमदाबाद	गुजरात	09-08-2003
			सनाथल	सांणद	अहमदाबाद	गुजरात	09-08-2003
			नवापुरा	सांणद	अहमदाबाद	गुजरात	09-08-2003
			सन्थाल	सांणद	अहमदाबाद	गुजरात	09-08-2003
4.	626 17-02-2003		खोडा	सांणद	अहमदाबाद	गुजरात	09-08-2003
			सांणद				
5.	627 17-02-2003		खोडा	सांणद	अहमदाबाद	गुजरात	09-08-2003
			सांणद	सांणद	अहमदाबाद	गुजरात	09-08-2003
6.	2969 16-09-2002		भिसलपुर	दसकोई	अहमदाबाद	गुजरात	09-08-2003
			फतेवारी	दसकोई	अहमदाबाद	गुजरात	09-08-2003

1	2	3	4	5	6	7
		वनझार	दसकोई	अहमदाबाद	गुजरात	09-08-2003
		बाकरोल	दसकोई	अहमदाबाद	गुजरात	09-08-2003
		बरदाबाद	दसकोई	अहमदाबाद	गुजरात	09-08-2003
		कमोड	दसकोई	अहमदाबाद	गुजरात	09-08-2003
		ओड	दसकोई	अहमदाबाद	गुजरात	09-08-2003
		नाज	दसकोई	अमदावाद	गुजरात	09-08-2003
		जेतलपुर	दसकोई	अमदावाद	गुजरात	09-08-2003
		बारेजा	दसकोई	अमदावाद	गुजरात	09-08-2003
7.	624	कमोड	दसकोई	अमदावाद	गुजरात	09-08-2003
	17-02-2003	जेतलपुर	दसकोई	अमदावाद	गुजरात	09-08-2003
8.	3072	बिडज	महेमदाबाद	खेडा	गुजरात	09-08-2003
	24-09-2002	सारसा	महेमदाबाद	खेडा	गुजरात	09-08-2003
		समाद्रा	महेमदाबाद	खेडा	गुजरात	09-08-2003
		वासना-खुर्द	महेमदाबाद	खेडा	गुजरात	09-08-2003
		डेडारडा	महेमदाबाद	खेडा	गुजरात	09-08-2003
		परासानतज	महेमदाबाद	खेडा	गुजरात	09-08-2003
		किलेखेडा	महेमदाबाद	खेडा	गुजरात	09-08-2003
		खुमारवाड	महेमदाबाद	खेडा	गुजरात	09-08-2003
9.	538	वासना-खुर्द	महेमदाबाद	खेडा	गुजरात	09-08-2003
	13-02-2003	खेडा	महेमदाबाद	खेडा	गुजरात	09-08-2003
10.	3073	आंजोली	मातर	खेडा	गुजरात	09-08-2003
	24-09-2002	हेंजराबाद	मातर	खेडा	गुजरात	09-08-2003
		सन्धाना	मातर	खेडा	गुजरात	09-08-2003
11.	3074	झरोल	नडीयाद	खेडा	गुजरात	09-08-2003
	24-09-2002	दन्ताल्लि	नडीयाद	खेडा	गुजरात	09-08-2003
		डेवडा	नडीयाद	खेडा	गुजरात	09-08-2003
		पोज	नडीयाद	खेडा	गुजरात	09-08-2003
		डुमराल	नडीयाद	खेडा	गुजरात	09-08-2003
		पीपलाता	नडीयाद	खेडा	गुजरात	09-08-2003
		केरीयावी	नडीयाद	खेडा	गुजरात	09-08-2003
		अखडोल	नडीयाद	खेडा	गुजरात	09-08-2003
12.	2689	बामरोली	पेटलाद	आंणद	गुजरात	09-08-2003
		बामरोली	पेटलाद	आंणद	गुजरात	09-08-2003
	20-08-2002	सन्जाया	पेटलाद	आंणद	गुजरात	09-08-2003
		पडगोल	पेटलाद	आंणद	गुजरात	09-08-2003
		राक्ली	पेटलाद	आंणद	गुजरात	09-08-2003
		गुन्तेली	पेटलाद	आंणद	गुजरात	09-08-2003
		मोरड	पेटलाद	आंणद	गुजरात	09-08-2003
		बोरिया	पेटलाद	आंणद	गुजरात	09-08-2003

1	2	3	4	5	6	7
13.	536 13-02-2003	सन्जाया	पेटलाद	आणंद	गुजरात	09-08-2003
14.	3150 01-10-2002	वलासन	आणंद	आणंद	गुजरात	09-08-2003
		करमसद	आणंद	आणंद	गुजरात	09-08-2003
		सन्देशर	आणंद	आणंद	गुजरात	09-08-2003
		गाना	आणंद	आणंद	गुजरात	09-08-2003
		मेधवागाना	आणंद	आणंद	गुजरात	09-08-2003
15.	537 13-02-2003	करमसद	आणंद	आणंद	गुजरात	09-08-2003
		गाना	आणंद	आणंद	गुजरात	09-08-2003
16.	2971 16-09-2002	नापा तलपद	बोरसद	आणंद	गुजरात	09-08-2003
		नापा वन्तो	बोरसद	आणंद	गुजरात	09-08-2003
		नमन	बोरसद	आणंद	गुजरात	09-08-2003
		दहेमी	बोरसद	आणंद	गुजरात	09-08-2003
		कासुमबाद	बोरसद	आणंद	गुजरात	09-08-2003
		हरखापुरा	बोरसद	आणंद	गुजरात	09-08-2003
17.	539 13-02-2003	नापा तलपद	बोरसद	आणंद	गुजरात	09-08-2003
18.	3070 24-09-2002	आसोदर	आंकलाव	आणंद	गुजरात	09-08-2003
		भेटासी तलपद	आंकलाव	आणंद	गुजरात	09-08-2003
		भेटासी बाभाग	आंकलाव	आणंद	गुजरात	09-08-2003
		अंबाली	आंकलाव	आणंद	गुजरात	09-08-2003
		अमरोल	आंकलाव	आणंद	गुजरात	09-08-2003
19.	2826 05-09-2002	कोटना	वडोदरा	वडोदरा	गुजरात	09-08-2003
		अनगठ	वडोदरा	वडोदरा	गुजरात	09-08-2003
		कोयली	वडोदरा	वडोदरा	गुजरात	09-08-2003
		धनोरा	वडोदरा	वडोदरा	गुजरात	09-08-2003
20.	528 10-02-2003	बारेजा	दसकोई	अमदावाद	गुजरात	15-11-2003
21.	2838 26-09-2003	बारेजा	दसकोई	अमदावाद	गुजरात	15-11-2003

[सं. आर-25011/10/2005-ओआर-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 5th October, 2005

S.O. 3731.—Whereas, by Notifications of the Government of India in the Ministry of Petroleum and Natural Gas S.O. Number and date as mentioned in the schedule below issued under Sub-section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government acquired the right of user in the lands specified in the Schedule appended to those notifications;

And, whereas, in exercise of the powers conferred by Sub-section (4) of section 6 of the said Act, the Central Government vested the right of user in the said lands, free from all encumbrances in the Indian Oil Corporation Limited;

And, Whereas, the Competent Authority has made a report to the Central Government that the pipeline for the purpose of transport of Petroleum crude (1) from Viramgam in the State of Gujarat to Koyali in the State of Gujarat through the villages in the State of Gujarat mentioned in the Schedule has been laid in the said lands so the operation may be terminated in respect of and description of which in brief is specified in the Schedule annexed to this notification;

Now, therefore, as required under explanation-1 of rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Central Government hereby declares the dates mentioned in Column 7 of the said Schedule as the dates of termination of operation.

SCHEDULE

S. No.	S.O. No. & Date	Name of Village	Taluka	District	State	Date of Termination of Operation
1	2	3	4	5	6	7
1	2691 20-8-2002	Hansalpur	Viramgam	Ahmedabad	Gujarat	09-08-2003
		Sereshvar	Viramgam	Ahmedabad	Gujarat	09-08-2003
		Sokali	Viramgam	Ahmedabad	Gujarat	09-08-2003
		Jakhwada	Viramgam	Ahmedabad	Gujarat	09-08-2003
		Shiyal (Kalyanpur)	Viramgam	Ahmedabad	Gujarat	09-08-2003
		Sachana	Viramgam	Ahmedabad	Gujarat	09-08-2003
2	625 17-02-2003	Hansalpur	Viramgam	Ahmedabad	Gujarat	09-08-2003
		Sereshvar				
3	2973 16-09-2002	Khoraj	Sanand	Ahmedabad	Gujarat	09-08-2003
		Kalana	Sanand	Ahmedabad	Gujarat	09-08-2003
		Northkotpura (Chharodi)	Sanand	Ahmedabad	Gujarat	09-08-2003
		Khoda	Sanand	Ahmedabad	Gujarat	09-08-2003
		Rupavati	Sanand	Ahmedabad	Gujarat	09-08-2003
		Vasodara	Sanand	Ahmedabad	Gujarat	09-08-2003
		Sanand	Sanand	Ahmedabad	Gujarat	09-08-2003
		Kolat	Sanand	Ahmedabad	Gujarat	09-08-2003
		Sanathal	Sanand	Ahmedabad	Gujarat	09-08-2003
		Navapura	Sanand	Ahmedabad	Gujarat	09-08-2003
		Santhal	Sanand	Ahmedabad	Gujarat	09-08-2003
4	626 17-02-2003	Khoda	Sanand	Ahmedabad	Gujarat	09-08-2003
		Sanand	Sanand	Ahmedabad	Gujarat	09-08-2003
5	627 17-02-2003	Khoda	Sanand	Ahmedabad	Gujarat	09-08-2003
		Sanand	Sanand	Ahmedabad	Gujarat	09-08-2003
	2969 16-09-2002	Visalpur	Daskroi	Ahmedabad	Gujarat	09-08-2003
		Fatiwari	Daskroi	Ahmedabad	Gujarat	09-08-2003
		Vanzar	Daskroi	Ahmedabad	Gujarat	09-08-2003
		Vilaspur	Daskroi	Ahmedabad	Gujarat	09-08-2003
		Bakrol Badrabad	Daskroi	Ahmedabad	Gujarat	09-08-2003

1	2	3	4	5	6	7
		Kamoda	Daskroi	Ahmedabad	Gujarat	09-08-2003
		Ode	Daskoi	Ahmedabad	Gujarat	09-08-2003
		Naj	Daskoi	Ahmedabad	Gujarat	09-08-2003
		Jetalpur	Daskoi	Ahmedabad	Gujarat	09-08-2003
		Bareja	Daskoi	Ahmedabad	Gujarat	09-08-2003
7	624 17-2-2003	Kamod	Daskoi	Ahmedabad	Gujarat	09-08-2003
		Jetalpur	Daskoi	Ahmedabad	Gujarat	09-08-2003
8	3072 24-09-2002	Bidaj	Mehmdabad	Kheda	Gujarat	09-08-2003
		Sarsa	Mehmdabad	Kheda	Gujarat	09-08-2003
		Samadra	Mehmdabad	Kheda	Gujarat	09-08-2003
		Vasna-Khurd	Mehmdabad	Kheda	Gujarat	09-08-2003
		Dedarda	Mehmdabad	Kheda	Gujarat	09-08-2003
		Parsantaj	Mehmdabad	Kheda	Gujarat	09-08-2003
		Kilekheda	Mehmdabad	Kheda	Gujarat	09-08-2003
		Khumarvad	Mehmdabad	Kheda	Gujarat	09-08-2003
9	538 13-02-2003	Vasna-Khurd	Mehmdabad	Kheda	Gujarat	09-08-2003
		Kheda	Mehmdabad	Kheda	Gujarat	09-08-2003
10	3073 24-09-2002	Antroli	Matar	Kheda	Gujarat	09-08-2003
		Haijarabad	Matar	Kheda	Gujarat	09-08-2003
		Sandhana	Matar	Kheda	Gujarat	09-08-2003
11	3074 24-09-2002	Zarol	Nadiad	Kheda	Gujarat	09-08-2003
		Dantali	Nadiad	Kheda	Gujarat	09-08-2003
		Devda	Nadiad	Kheda	Gujarat	09-08-2003
		Pij	Nadiad	Kheda	Gujarat	09-08-2003
		Dumral	Nadiad	Kheda	Gujarat	09-08-2003
		Piplata	Nadiad	Kheda	Gujarat	09-08-2003
		Keriavi	Nadiad	Kheda	Gujarat	09-08-2003
		Akhdol	Nadiad	Kheda	Gujarat	09-08-2003
	2689	Bamroli	Petlad	Anand	Gujarat	09-08-2003
12	20-08-2002	Sanjaya	Petlad	Anand	Gujarat	09-08-2003
		Padgol	Petlad	Anand	Gujarat	09-08-2003
		Ravli	Petlad	Anand	Gujarat	09-08-2003
		Ghuntei	Petlad	Anand	Gujarat	09-08-2003

1	2	3	4	5	6	7
		Morad	Petlad	Anand	Gujarat	09-08-2003
		Boriya	Petlad	Anand	Gujarat	09-08-2003
	536	Sanjaya	Petlad	Anand	Gujarat	09-08-2003
13	13-02-2003					
	3150	Valasan				
14	01-01-2002					
			Anand	Anand	Gujarat	09-08-2003
		Karamsad	Anand	Anand	Gujarat	09-08-2003
		Sandesar	Anand	Anand	Gujarat	09-08-2003
		Gana	Anand	Anand	Gujarat	09-08-2003
		Meghvagana	Anand	Anand	Gujarat	09-08-2003
15	537 13-02-2003	Karimsad	Anand	Anand	Gujarat	09-08-2003
		Gana	Anand	Anand	Gujarat	09-08-2003
	2971	Napa talpad	Borsad	Anand	Gujarat	09-08-2003
16	16-09-2002					
		Napa vanto	Borsad	Anand	Gujarat	09-08-2003
		Naman	Borsad	Anand	Gujarat	09-08-2003
		Dahemi	Borsad	Anand	Gujarat	09-08-2003
		Kasumbad	Borsad	Anand	Gujarat	09-08-2003
		Harkhapura	Borsad	Anand	Gujarat	09-08-2003
	539	Napa Talpad	Borsad	Anand	Gujarat	09-08-2003
17	13-02-2003					
	3070	Asodar	Anklav	Anand	Gujarat	09-08-2003
18	24-09-2002					
		Bhetasi Talpad	Anklav	Anand	Gujarat	09-08-2003
		Bhetasi Babhag	Anklav	Anand	Gujarat	09-08-2003
		Ambali	Anklav	Anand	Gujarat	09-08-2003
		Amrol	Anklav	Anand	Gujarat	09-08-2003
	2826	Kotna	Vadodara	Vadodara	Gujarat	09-08-2003
19	05-09-2002					
		Angadh	Vadodara	Vadodara	Gujarat	09-08-2003
		Koyali	Vadodara	Vadodara	Gujarat	09-08-2003
		Dhanora	Vadodara	Vadodara	Gujarat	09-08-2003
	528	Bareja	Daskori	Ahmedabad	Gujarat	15-11-2003
20	10-02-2003					
	2838	Bareja		Ahmedabad	Gujarat	15-11-2003
21	26-09-2003					

[No. R-25011/10/2005-OR-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 7 अक्टूबर, 2005

का.आ. 3732.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि उत्तर प्रदेश राज्य में थूलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा, एक पाइपलाइन बिछाई जानी चाहिए;

और, केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 कां 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, श्री रामावतार पाल, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, बी-35 व 36, सैक्टर-1, नोएडा-201 301 (उत्तर प्रदेश) को लिखित रूप में आपेक्ष भेज सकेगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
इलाहाबाद	फूलपुर	कनेहटी	970	0.2250
			971	0.0800
			974	0.0320
			976	0.0080
			1078	0.1800
		कुल		0.5250
		बसौधा	247	0.3262
		कुल		0.3262

[फा. सं. एल-14014/4/05-जी.पी. (भाग-II)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 7th October, 2005

S.O. 3732.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas from Thulendi to Phoolpur pipeline project in the State of Uttar Pradesh, a pipeline should be laid by the GAIL (India) Limited;

And whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Sections 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public object in writing to the laying of the pipeline under the land to Shri Ramavtar Pal, Competent Authority, GAIL (India) Limited, B-35 & 36, Sector-1, Noida-201 301 (Uttar Pradesh).

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Allahabad	Phoolpur	Kanehati	970	0.2250
			971	0.0800
			974	0.0320
			976	0.0080
			1078	0.1800
			TOTAL	0.5250
	Basoudha		247	0.3262
			TOTAL	0.3262

[F. No. L-14014/4/05-GP (Pt II)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 07 अक्टूबर, 2005

का.आ. 3733.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2719 तारीख, 15 अक्टूबर, 2004 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा उत्तर प्रदेश राज्य में थूलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 20 फरवरी, 2005 को उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अनुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइनों बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइनों बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइनों बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाय, पाइपलाइनों बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विलसंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए (हेक्टेयर में)
1	2	3	4	5
राय बरेली	सालोन	बितौरा	53	0-02-15
			54	0-01-52
			55	0-01-26
			52	0-06-91
			51	0-13-92
			38	0-00-96
			49	0-04-15
			39	0-14-29
			29	0-02-75
			40	0-03-86
			41	0-03-04
			42	0-07-39
			28	0-00-13

1	2	3	4	5
राय बरेली	सालोन	बितौरा	187	0-18-17
			186	0-00-51
			188	0-10-66
			185	0-04-39
			200	0-06-23
			201	0-01-92
			202	0-06-51
			214	0-20-49
			213	0-00-17
			215	0-21-73
			221	0-08-34
			220	0-21-30
			245	0-03-51
			225	0-00-10
			244	0-11-75
			248	0-05-26
			243	0-01-31
			241	0-12-49
			249	0-00-19
			250	0-07-48
			307	0-23-61
			304	0-01-16
			305	0-09-69
			304	0-09-30
			413	0-00-51
			414	0-01-60
			415	0-04-77
			303	0-05-97
			416	0-13-84
			423	0-24-49
			1133	0-09-11
			423	0-13-25
			सर्वे नं. 423	0-05-99
			में (रजवाहा कैनाल)	
			423	0-02-62
			1129	0-00-90
			1115	0-00-80
			1114	0-19-13
			1113	0-01-31
			1112	0-15-57
			1109	0-01-28
			1106	0-00-52

I	2	3	4	5	1	2	3	4	5
राय बरेली	सालोन	बितौरा	1108.	0-17-42	राय बरेली	सालोन	बितौरा	1753	0-00-83
			1107	0-07-45				1761	0-05-33
			1103	0-10-92				1760	0-10-55
			1082	0-23-16				1821	0-02-69
			1083	0-08-86				1798	0-01-32
			1084	0-04-01				1799	0-08-96
			1085	0-07-26				1802	0-01-92
			1088	0-02-36				1803	0-01-90
			1065	0-02-56				1804	0-11-67
			1057	0-22-52				1800	0-00-10
			1056	0-13-88				1805	0-03-41
			1054	0-13-50				1806	0-14-81
			1055	0-00-34				1818	0-15-93
			1053	0-01-60				1807	0-02-00
			1050	0-01-50				1817	0-03-76
			1049	0-04-52				1809	0-27-70
			1051	0-02-12				1810	0-00-39
			1052	0-01-21				1962	0-05-21
			1046	0-00-93				कुल	8-86-11
			1045	0-22-18					
			1036	0-01-23					
			1035	0-00-98					
			सर्वे नं. 1034	0-03-41					
			में (रोड़)						
			1023	0-10-52					
			1022	0-20-62					
			सर्वे नं. 1022	0-03-32					
			में (पक्की रोड़)						
			999	0-06-54					
			1000	0-12-57					
			947	0-01-00					
			948	0-09-78					
			951	0-03-57					
			946	0-01-76					
			945	0-19-41					
			920	0-01-47					
			1553	0-07-82					
			1703	0-01-45					
			1702	0-06-53					
			1704	0-18-78					
			1755	0-03-54					
			1754	0-28-80					
			1758	0-45-97					

[फा. सं. एल-14014/4/05-जीपी(भाग-II)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 7th October, 2005

S.O. 3733.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2719 dated the 15th October, 2004, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transportation of natural gas from Thulendi to Phoolpur pipeline project in the State of Uttar Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 20th February, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in the GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Rai Bareilly	Salon	Bitaura	53	0-02-15
			54	0-01-52
			55	0-01-26
			52	0-06-91
			51	0-13-92
			38	0-00-96
			49	0-04-15
			39	0-14-29
			29	0-02-75
			40	0-03-86
			41	0-03-04
			42	0-07-39
			28	0-00-13
			187	0-18-17
			186	0-00-51
			188	0-10-66
			185	0-04-39
			200	0-06-23
			201	0-01-92
			202	0-06-51
			214	0-20-49
			213	0-00-17
			215	0-21-73
			221	0-08-34
			220	0-21-30

1	2	3	4	5
Rai Bareilly	Salon	Bitaura	245	0-03-51
			225	0-00-10
			244	0-11-75
			248	0-05-26
			243	0-01-31
			241	0-12-49
			249	0-00-19
			250	0-07-48
			307	0-23-61
			304	0-01-16
			305	0-09-69
			304	0-09-30
			413	0-00-51
			414	0-01-60
			415	0-04-77
			303	0-05-97
			416	0-13-84
			423	0-24-49
			1133	0-09-11
			423	0-13-25
			In Svy.	0-05-99
			No. 423	
			(Minor canal)	
			423	0-02-62
			1129	0-00-90
			1115	0-00-80
			1114	0-19-13
			1113	0-01-31
			1112	0-15-57
			1109	0-01-28
			1106	0-00-52
			1108	0-17-42
			1107	0-07-45
			1103	0-10-92
			1082	0-23-16
			1083	0-08-86
			1084	0-04-01
			1085	0-07-26
			1088	0-02-36
			1065	0-02-56
			1057	0-22-52
			1056	0-13-88
			1054	0-13-50

1	2	3	4	5	1	2	3	4	5
			1055	0-00-34				1818	0-15-93
			1053	0-01-60				1807	0-02-00
			1050	0-01-50				1817	0-03-76
			1049	0-04-52				1809	0-27-70
			1051	0-02-12				1810	0-00-39
			1052	0-01-21				1962	0-05-21
			1046	0-00-93				TOTAL	8-86-11
			1045	0-22-18				[F. No. L-14014/4/05-GP (Pt.-II)]	
			1036	0-01-23				S. B. MANDAL, Under Secy.	
			1035	0-00-98				नई दिल्ली, 7 अक्टूबर, 2005	
			In Svy. No.	0-03-41				का. आ. 3734.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज	
			1034 (Road)					पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम,	
			1023	0-10-52				1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम	
			1022	0-20-62				कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत	
			In Svy. No.					सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या	
			1022 (Metalled					का.आ. 358(अ), तारीख 21 मार्च, 2005 द्वारा, उस अधिसूचना से	
			Road)	0-03-32				संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा	
			999	0-06-54				उत्तर प्रदेश राज्य में थूलेन्डी से फूलपुर पाइपलाइन परियोजना तक	
			1000	0-12-57				प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के	
			947	0-01-00				लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा	
			948	0-09-78				की थी;	
			951	0-03-57				और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख	
			946	0-01-76				12 जून, 2005 से 20 जून, 2005 तक उपलब्ध करा दी गई थी;	
			945	0-19-41				और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों	
			920	0-01-47				पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात	
			1553	0-07-82				कर दिया गया है;	
			1703	0-01-45				और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1)	
			1702	0-06-53				के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;	
			1704	0-18-78				और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्	
			1755	0-03-54				और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइनें बिछाने के	
			1754	0-28-80				लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय	
			1758	0-45-97				किया है;	
			1753	0-00-83				अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की	
			1761	0-05-33				उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा	
			1760	0-10-55				करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में	
			1821	0-02-69				पाइपलाइनें बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता	
			1798	0-01-32				है;	
			1799	0-08-96				और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4)	
			1802	0-01-92				द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइनें	
			1803	0-01-90				बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन	
			1804	0-11-67				की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, पाइपलाइनें	
			1800	0-00-10				बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा	
			1805	0-03-41				और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित	
			1806	0-14-81					

निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगनों से मुक्त, गेल
(इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
राय बरेली	सलोन	रोखा	639	0.0187
			638	0.1675
			640	0.0681
			637	1.4161
			643	0.0040
			644	0.1543
			665	0.0102
			633	0.0781
			634	0.1632
			564	0.0374
			548	0.2549
			561	0.2671
		बी		0.0639
			562	0.4223
		ए		0.0263
			567	0.0203
			563	0.0025
			529	0.3922
			892	0.1655
		नहर		0.0091
			891	0.0166
			893	0.1422
			894	0.0287
			895	0.0625
			896	0.0304
			897	0.0836
			898	0.2014
			900	0.0424
			901	0.2691
		रोड़		0.0446
			952	0.0486
			951	0.1282
			950	0.0184
			953	0.0137
			954	0.0148
			962	0.0166
			958	0.3445
			959	0.0233

960	0.0614
1013	0.0695
957	0.0017
956	0.1623
1015	0.1384
1016	0.0010
1017	0.0121
1018	0.0013
1021	0.0063
1120	0.1250
1119	0.0076
1118	0.1493
1117	0.0035
1116	0.2678
1115	0.0310
1106	0.0092
1105	0.2014
1095	0.2007
1100	0.0094
1078	0.2328
1071	0.2013
1070	0.1583
नाला	0.0094
1069	0.2317
1079	0.0109
1068	0.1193
1310	0.1691
1311	0.0241
4065	0.1704
4067	0.1030
4089	0.1416
4087	0.0171
4070	0.2077
4075	0.0067
4079	0.0166
4078	0.0446
4087	0.0079
4046	0.0342
(मन रजवाहा)	
4026	0.0111
4025	0.1488
4017	0.0073
4016	0.0021
4018	0.0256
4019	0.0935

1	2	3	4	5	1	2	3	4	5
राय बरेली	सालोन	बारा	270	0.2144	राय बरेली	सालोन	बारा	918	0.0634
			278	0.0068				919	0.0074
			1127	0.0242				921	0.0369
			1117	0.0439				906	0.0060
			1116	0.1431				703	0.1471
			1115	0.0123				704	0.0956
			1112	0.5652				706	0.1346
			1109	0.0342				707	0.1840
			1008	0.0170				708	0.1174
			1015	0.1932				710	0.0411
			1110	0.0010				711	0.0238
			1014	0.2573				712	0.0800
			1016	0.0033				771	0.0032
			1001	0.0930				770	0.0031
			1000	0.0077				766	0.0073
			988	0.0140				765	0.2939
			998	0.1503				764	0.1741
			999	0.0428				794	0.0018
			995	0.0122				808	0.0071
			997	0.0010				795	0.0031
			996	0.2278				796	0.1465
			994	0.0110				802	0.0353
			993	0.0277				797	0.0999
			992	0.0408				801	0.0709
			980	0.0651				798	0.1195
			977	0.0013				800	0.0420
			976	0.0010				799	0.0134
			979	0.0624				814	0.0126
			978	0.1745				826	0.1314
			967	0.3422				823	0.0391
			968	0.0105				825	0.0373
			913	0.1677				820	0.0890
			915	0.0546				822	0.0551
			911	0.0088				819	0.0014
			916/1446	0.0414				821	0.1308
			916	0.1674				817	0.1315
			917	0.0078				816	0.1354
			908	0.5045				857	0.1087
								856	0.2949
								योग	7.5944

[फा. सं. एल-14014/4/05-जी पी(भाग-II)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 7th October, 2005

S.O. 3734.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 358(E) dated the 21st March, 2005 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transportation of natural gas from Thulendi to Phoolpur pipeline project in the State of Uttar Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public from 12th June, 2005 to 20th June, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under Sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in the GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Rai Bareilly Salan	Rokha		639	0.0187
			638	0.1675
			640	0.0681
			637	1.4161

1	2	3	4	5
Rai Bareilly Salan	Rokha	643	0.0040	
		644	0.1543	
		665	0.0102	
		633	0.0781	
		634	0.1632	
		564	0.0374	
		548	0.2549	
		561	0.2671	
		B	0.0639	
		562	0.4223	
		A	0.0263	
		567	0.0203	
		563	0.0025	
		529	0.3922	
		892	0.1655	
		Canal	0.0091	
		891	0.0166	
		893	0.1422	
		894	0.0287	
		895	0.0625	
		896	0.0304	
		897	0.0836	
		898	0.2014	
		900	0.0424	
		901	0.2691	
		Road	0.0446	
		952	0.0486	
		951	0.1282	
		950	0.0184	
		953	0.0137	
		954	0.0148	
		962	0.0166	
		958	0.3445	
		959	0.0233	
		960	0.0614	
		1013	0.0695	
		957	0.0017	
		956	0.1623	
		1015	0.1384	
		1016	0.0010	
		1017	0.0121	
		1018	0.0013	
		1021	0.0063	
		1120	0.1250	
		1119	0.0076	
		1118	0.1493	
		1117	0.0035	
		1116	0.2678	
		1115	0.0310	
		1106	0.0092	
		1105	0.2014	
		1095	0.2007	
		1100	0.0094	
		1078	0.2328	
		1071	0.2013	

1	2	3	4	5	1	2	3	4	5
Rai Bareilly Salon	Rokha	1070	0.1583		Rai Bareilly Salon	Rokha	4667	0.3009	
	Drain		0.0094				4670	0.0314	
		1069	0.2317				4666	0.2352	
		1079	0.0109				4672	0.0114	
		1068	0.1193				4671	0.1519	
		1310	0.1691				4673	0.0097	
		1311	0.0241				4677	0.0402	
		4065	0.1704				4471	0.0927	
		4067	0.1030				4446	0.0027	
		4089	0.1416				4447	0.0958	
		4087	0.0171				4449	0.0175	
		4070	0.2077				4433	0.9189	
		4075	0.0067				4432	0.0450	
		4079	0.0166				4797	0.0017	
		4078	0.0446				4810	0.0019	
		4087	0.0079				4811	0.0670	
		4046 (Man	0.0342				4816	0.0200	
		Distributory)					4817	0.1678	
		4026	0.0111				4819	0.0704	
		4025	0.1488				4818	0.0116	
		4017	0.0073				4820	0.2929	
		4016	0.0021				4824	0.0089	
		4018	0.0256				4880	0.0505	
		4019	0.0935				4872	0.0353	
		4020	0.0010				4874	0.0287	
		4023	0.0713				4875	0.1250	
		4022	0.0110				Canal	0.0010	
		Cart Track	0.0431				Minor		
		4525	0.0727				4876	0.0138	
		4526	0.0153				5005	0.0309	
		4527	0.0422				5006	0.0588	
		Metal Road	0.0456				5008	0.0133	
		4322	0.1508				5007	0.0120	
		4323	0.0670				5004	0.0063	
		4324	0.0200				4997	0.0479	
		Channel					5061	0.0442	
		4325	0.1678				5003	0.3009	
		4510	0.0704				4998	0.0314	
		4509	0.0116				5002	0.2352	
		4508	0.2927				4999	0.0114	
		4507	0.0089				5001	0.1519	
		4499	0.0505				5000	0.0097	
		4496	0.0353				5032	0.0402	
		4497	0.0287				5035	0.0927	
		4482	0.1250				5034	0.0027	
		4493	0.0010				5033	0.0958	
		4483	0.0138				5044	0.0175	
		4484	0.0309				5090	0.9189	
		4487	0.0588				5091	0.0450	
		4488	0.0133				5093	0.0017	
		4489	0.0120				5094	0.0019	
		4491	0.0063						
		4490	0.0479						
		4486	0.0442						

1	2	3	4	5	1	2	3	4	5
Rai Bareilly Salon		Rokha	5092	0.0036	Rai Bareilly Salon		Bara	908	0.5045
			5095	0.0010				918	0.0634
			Total	15.5089				919	0.0074
		Bara	264	0.0710				921	0.0369
			262	0.0010				906	0.0060
			271	0.6278				703	0.1471
			265	0.0156				704	0.0956
			270	0.2144				706	0.1346
			278	0.0068				707	0.1840
			1127	0.0242				708	0.1174
			1117	0.0439				710	0.0411
			1116	0.1431				711	0.0238
			1115	0.0123				712	0.0800
			1112	0.5652				771	0.0032
			1109	0.0342				770	0.0031
			1008	0.0170				766	0.0073
			1015	0.1932				765	0.2939
			1110	0.0010				764	0.1741
			1014	0.2573				794	0.0018
			1016	0.0033				808	0.0071
			1001	0.0930				795	0.0031
			1000	0.0077				796	0.1465
			988	0.0140				802	0.0353
			998	0.1503				797	0.0999
			999	0.0428				801	0.0709
			995	0.0122				798	0.1195
			997	0.0010				800	0.0420
			996	0.2278				799	0.0134
			994	0.0110				814	0.0126
			993	0.0277				826	0.1314
			992	0.0408				823	0.0391
			980	0.0651				825	0.0373
			977	0.0013				820	0.0890
			976	0.0010				822	0.0551
			979	0.0624				819	0.0014
			978	0.1745				821	0.1308
			967	0.3422				817	0.1315
			968	0.0105				816	0.1354
			913	0.1677				857	0.1087
			915	0.0545				856	0.2949
			911	0.0088				TOTAL	7.5944
			916/1446	0.0114					
			916	0.1674					
			917	0.0078					

[F. No. L-14014/4/05-GP (Pt.-II)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 7 अक्टूबर, 2005

का. आ. 3735.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 361(अ) तारीख, 21 मार्च, 2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा उत्तर प्रदेश राज्य में थूलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 15 जून, 2005 से 20 जून, 2005 तक उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, पाइपलाइन बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
राय बरेली	तिलोई	सरबन	44	0.1000
			45	0.1066

1	2	3	4	5
राय बरेली	तिलोई	सरबन	47	0.1565
			49	0.0025
			46	0.0477
			51	0.0455
			52	0.0026
			50	0.3547
			54	0.0091
			55	0.1099
			1114	0.0962
			1115	0.0160
			(रास्ता)	
			1124	0.0555
			1125	0.3286
			1122	0.0015
			1126	0.0100
			1127	0.0599
			1156	0.0036
			1157	0.0399
			1148	0.0159
			1158	0.0174
			1155	0.0770
			1150	0.0270
			1162	0.2581
			1172	0.2375
			1181	0.0412
			1182	0.0837
			1184	0.0032
			1185	0.0528
			1194	0.2570
			1196	0.0010
			1193	0.0321
			1192	0.1660
			1219	0.0126
			1220	0.0235
			1221	0.0081
			1222	0.0089
			1218	0.0893
			1224	0.0737
			1225	0.0051
			1252	0.0425
			1251	0.0563
			1249	0.0988
			1250	0.0317
			1248	0.0794
			ए	0.0207
			1246	0.0939
			1247	0.0010
			1243	0.0204

1	2	3	4	5
			1245	0.0195
			1244	0.0921
			बी	0.0073
			कुल	3.6010
सलोन	बिरनावाँ		3577	0.0021
			3578	0.2264
			3580	0.0327
			3582	0.0158
			3586	0.1355
			3585	0.0171
			3584	0.0108
			3588	0.0075
			ए	0.0724
			3611	0.0938
			3614	0.0060
			3631	0.2872
			3661	0.0071
			3660	0.0058
			3662	0.0228
			3663	0.0028
			3664	0.2328
			3666	0.0873
			3671	0.0091
			3674	0.0088
			(एस्ता)	
			3672	0.1898
			3673	0.0076
			3688	0.1285
			माइनर	0.0039
			3683	0.2786
			माइनर	0.0028
			3686	0.0074
			3685	0.0010
			3713	0.0528
			3681	0.0019
			4050	0.4062
			4068	0.0691
			4059	0.0025
			(रास्ता)	
			4066	0.3190
			3682	0.1620
			कुल	2.9169

[फा. सं. एल-14014/4/05-जी पी (भाग-II)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 7th October, 2005

S.O. 3735.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3614(E) dated the 21st March, 2005 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transportation of natural gas from Thulendi to Phoolpur pipeline project in the State of Uttar Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public from 15th June 2005 to 20th June, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in the GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Rai Bareilly	Tiloi	Sarvan	44	0.1000
			45	0.1066
			47	0.1565

1	2	3	4	5	1	2	3	4	5
Rai Bareilly Tiloi	Sarvan	49	0.0025		Rai Bareilly Tiloi	Sarvan	1243	0.0204	
		46	0.0477				1245	0.0195	
		51	0.0455				1244	0.0921	
		52	0.0026				B	0.0073	
		50	0.3547		Salon	Birnawan	TOTAL	3.6010	
		54	0.0091				3577	0.0021	
		55	0.1099				3578	0.2264	
		1114	0.0962				3580	0.0327	
		1115	0.0160				3582	0.0158	
		(Rasta)					3586	0.1355	
		1124	0.0555				3585	0.0171	
		1125	0.3286				3584	0.0108	
		1122	0.0015				3588	0.0075	
		1126	0.0100				A	0.0724	
		1127	0.0599				3611	0.0938	
		1156	0.0036				3614	0.0060	
		1157	0.0399				3631	0.2872	
		1148	0.0159				3661	0.0071	
		1158	0.0174				3660	0.0058	
		1155	0.0770				3662	0.0228	
		1150	0.0270				3663	0.0028	
		1162	0.2581				3664	0.2328	
		1172	0.2375				3666	0.0873	
		1181	0.0412				3671	0.0091	
		1182	0.0837				3674	0.0088	
		1184	0.0032				(Rasta)		
		1185	0.0528				3672	0.1898	
		1194	0.2570				3673	0.0076	
		1196	0.0010				3688	0.1285	
		1193	0.0321				Minor	0.0039	
		1192	0.1660				3683	0.2786	
		1219	0.0126				Minor	0.0028	
		1220	0.0235				3686	0.0074	
		1221	0.0081				3685	0.0010	
		1222	0.0089				3713	0.0528	
		1218	0.0893				3681	0.0019	
		1224	0.0737				4050	0.4062	
		1225	0.0051				4068	0.0691	
		1252	0.0425				4059	0.0025	
		1251	0.0563				(Rasta)		
		1249	0.0988				4066	0.3190	
		1250	0.0317				3682	0.1620	
		1248	0.0794				TOTAL	2.9169	
		A	0.0207						
		1246	0.0939						
		1247	0.0010						

[F.No. L-14014/4/05-GP (Pt II)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 7 अक्टूबर, 2005					1	2	3	4	5
का. आ. 3736.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 359(अ) तारीख, 21 मार्च, 2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा, उत्तर प्रदेश राज्य में थूलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;					प्रतापगढ़	सदर	खामपुर	351	0.0532
								352/735	0.0247
और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 29 अप्रैल, 2005 को उपलब्ध करा दी गई थी;								353	0.3229
								नाला	0.0533
और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;								357	0.0663
								356	0.3873
और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;								360	0.0074
								363	0.1396
और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;								362	0.1064
								364	0.0839
अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है।								365	0.0968
								370	0.0092
और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाय, पाइपलाइन बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड, में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।								366	0.0010
								371	0.0076
अनुसूची								376	0.4981
								372	0.0291
जिला तहसील गांव सर्वे नं. आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)								373	0.0244
								374	0.0082
1 2 3 4 5								760	0.2224
								बी	0.0150
प्रतापगढ़ सदर खामपुर ए 0.0766								761	0.0495
								सी	0.0150
352 0.0467								762	0.0565
								763	0.1081
कुल 3.7161								चकरोड़	0.1044
								765	0.0437
[फा. सं. एल-14014/4/05 जी पी (भाग-II)]								766	0.2464
								786	0.0119
एस. बी. मण्डल, अवर सचिव								787	0.1189
								788	0.0541
								789	0.0573
								792	0.0605
								793	0.0575
								799	0.0449
								805	0.0170
								803	0.0042
								794	0.0729
								796	0.1104
								797	0.0560
								798	0.1130
								801	0.0094
								800	0.0019
								799	0.0225

New Delhi, the 7th October, 2005

S.O. 3736.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S. O. 359(E) dated the 21st March, 2005 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transportation of natural gas from Thulendi to Phoolpur pipelines in the State of Uttar Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 29th April, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government after considering the said report, and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in the GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Pratapgarh	Sadar	Khampur	A	0.0766
			352	0.0467
			351	0.0532
			352/735	0.0247

1	2	3	4	5
Pratapgarh	Sadar	Khampur	353	0.3229
			Nala	0.0533
			357	0.0563
			356	0.3873
			360	0.0074
			363	0.1396
			362	0.1064
			364	0.0839
			365	0.0968
			370	0.0092
			366	0.0010
			371	0.0076
			376	0.4981
			372	0.0291
			373	0.0244
			374	0.0082
			760	0.2224
			B	0.0150
			761	0.0495
			C	0.0150
			762	0.0565
			763	0.1081
			Chak Road	0.1044
			765	0.0437
			766	0.2464
			786	0.0119
			787	0.1189
			788	0.0541
			789	0.0573
			792	0.0605
			793	0.0575
			799	0.0449
			805	0.0170
			803	0.0042
			794	0.0729
			796	0.1104
			797	0.0560
			798	0.1130
			801	0.0094
			800	0.0019
			799	0.0225
TOTAL				3.7161

[F. No. L-14014/4/05-GP (Pt-II)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 7 अक्टूबर, 2005

का. आ. 3737.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या, का.आ. 360(अ), तारीख, 21 मार्च, 2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इंडिया) लिमिटेड द्वारा, उत्तर प्रदेश राज्य में थूलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 20 मई, 2005 को उपलब्ध करा दी गई थीं;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, पाइपलाइन बिछाने का प्रस्ताव करने वाली गेल (इंडिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इंडिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ. यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
प्रतापगढ़	सदर	बीरमपुर	178	0.0029
			179	0.0070

1	2	3	4	5
			180	0.0083
			181	0.0049
			186	0.0307
			कुल	0.0538

[फा. सं. एल-14014/4/05-जी पी (भाग-II)]

एस. बी. मण्डल, जवर सचिव

New Delhi, the 7th October, 2005

S.O. 3737.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 360(E), dated the 21st March, 2005 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transportation of natural gas from Thulendi to Phoolpur Pipeline Project in the State of Uttar Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 20th May, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under Sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government has, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in the GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Pratapgarh Sadar	Birampur		178	0.0029
			179	0.0070
			180	0.0083
			181	0.0049
			186	0.0307
			Total	0.0538

[F. No. L-14014/4/05-GP (Pt-II)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 7 अक्टूबर, 2005

का. अ. 3738.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.अ. 362(अ) तारीख, 21 मार्च, 2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गैस (इण्डिया) लिमिटेड द्वारा, उत्तर प्रदेश राज्य में धुलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 27 अप्रैल, 2005 से 15 मई, 2005 तक उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाय, पाइपलाइन बिछाने का प्रस्ताव करने वाली गैस (इण्डिया) लिमिटेड, में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार

अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी किल्लिंगमों से मुक्त, गैस (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ.पू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
प्रतापगढ़	सदर	तरौल खास	803	0.0243
			802	0.1668
			801	0.0155
			798 (चक रोड़)	0.0105
			797	0.2315
			796	0.0989
			791 (रस्ता)	0.0123
			790	0.1046
			785	0.3759
			789	0.0111
			788	0.0039
			787	0.0087
			786	0.0168
			784	0.0158
			783	0.0025
			830	0.0257
			831	0.3174
			780	0.0311
			779 (रस्ता)	0.0048
			776	0.1051
			775	0.0287
			773 (रस्ता)	0.0108
			767	0.0058
			766	0.0189
			840	0.0436
			841	0.2014
			839	0.0446
			838 (रस्ता)	0.0219
			846	0.0010
			837	0.3723
			855	0.1489
			836 (रोड़)	0.0245
			856	0.3929
			रोड़	0.0941
कुल			1.9866	

[फ. सं एल-14014/4/05-जी पी (भाग-II)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 7th October, 2005

S.O. 3738.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S. O. 362(E) dated the 21st March, 2005 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transportation of natural gas from Thulendi to Phoolpur pipeline project in the State of Uttar Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public from 27th April, 2005 to 15th May, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under Sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government has, after considering the said report, and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Pratapgarh Sadar		Taroul Khas	803	0.0243
			802	0.1608
			801	0.0155
			798 (Chak Road)	0.0105

1	2	3	4	5
Pratapgrap Sadar	Taroul Khas	797		0.2315
		796		0.0989
		791 (Rasta)		0.0123
		790		0.1046
		785		0.3759
		789		0.0111
		788		0.0039
		787		0.0087
		786		0.0168
		784		0.0158
		783		0.0025
		830		0.0257
		831		0.3174
		780		0.0311
		779 (Rasta)		0.0048
		776		0.1051
		775		0.0287
		773 (Rasta)		0.0108
		767		0.0058
		766		0.0189
		840		0.0436
		841		0.2014
		839		0.0446
		838 (Rasta)		0.0219
		846		0.0010
		837		0.3723
		855		0.1489
		836 (Road)		0.0245
		856		0.3929
		Road		0.0941
		Total	2.9866	

[F. No. L-14014/4/05-GP (Pt-II)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 7 अक्टूबर, 2005

का. आ. 3739.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2722(अ) तारीख, 15 अक्टूबर, 2004 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इंडिया) लिमिटेड द्वारा, उत्तर प्रदेश राज्य में थूलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 2 जून, 2005 को उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइनें बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइनें बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइनें बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाय, पाइपलाइनें बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड, में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगनों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ. यू. अर्जित करने लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
इलाहाबाद	सौराँव	अलावलपुर	399	0-0066
			400	0-0010
			401	0-0345
			406	0-0679
			405	0-0104
			404	0-0010
			407	0-0763
			409	0-3962
			477	0-0118
			476	0-2887
			410	0-0258
			411	0-0082
			470	0-0309
			468	0-0077
			415	0-0927
			414	0-1552
			416	0-0192
			423	0-0476
			422	0-0086
			417	0-0572

1	2	3	4	5
इलाहाबाद	सौराँव	अलावलपुर	419 (रेड) सर्वे नं. 419, 418 व 417 में 1026 1025 1023 1033 1035 1034 1008 1036 1037 1007 1038 1006 1005 1004 1003 1055 1056 1063 1130 1128 1132 1127 1131 1121 1127 1125 1142 1132 1137 1144 1138 1145 1139 1143 1140 (नाला) सर्वे नं. 1151 व 1140 में 1151 1149 1152 1154 1155 1153	0-0298 0-0194 0-0010 0-1742 0-1941 0-1948 0-0163 0-0015 0-0335 0-0815 0-0035 0-0275 0-0270 0-0097 0-1412 0-0871 0-0010 0-0571 0-0065 0-0044 0-0471 0-0460 0-0356 0-0782 0-1041 0-0529 0-0486 0-0010 0-0234 0-0136 0-2688 0-0168 0-0106 0-0010 0-0149 0-0087 0-0760 0-0372 0-0042 0-0330 0-2636 0-0501 0-0020 0-0155
			कुल	3-6615

[फा. सं एल-14014/4/05 जी पी (भाग-II)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 7th October, 2005

S.O. 3739.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S. O. 2722 dated the 15th October,

2004 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transportation of natural gas from Thulendi to Phoolpur pipelines Project in the State of Uttar Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 2nd June, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions to imposed, vest in GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Allahabad	Soraon	Alawalpur	399	0-00-66
			400	0-00-10
			401	0-03-45
			406	0-06-79
			405	0-01-04
			404	0-00-10
			407	0-07-63
			409	0-39-62
			477	0-01-18
			476	0-28-87
			410	0-02-58
			411	0-00-82
			470	0-03-09
			468	0-00-77
			415	0-09-27

1	2	3	4	5
Allahabad	Soraon	Alawalpur	414	0-15-52
			416	0-01-92
			423	0-04-76
			422	0-00-86
			417	0-05-72
			419	0.0298
			(Road) In Svy. No. 419	
			418 & 417	0.0194
			1026	0.0010
			1025	0.1742
			1023	0.1941
			1033	0.1948
			1035	0.0163
			1034	0.0015
			1008	0.0335
			1036	0.0815
			1037	0.0035
			1007	0.0275
			1038	0.0270
			1006	0.0097
			1005	0.1412
			1004	0.0871
			1003	0.0010
			1055	0.0571
			1056	0.0065
			1063	0.0044
			1130	0.0471
			1128	0.0460
			1132	0.0356
			1127	0.0782
			1131	0.1041
			1121	0.0529
			1127	0.0486
			1125	0.0010
			1142	0.0234
			1132	0.0136
			1137	0.2688
			1144	0.0168
			1138	0.0106
			1145	0.0010
			1139	0.0149
			1143	0.0087
			1140	0.0760
			(Nala) In Svy. No. 1151 & 1140	
			1151	0.0042
			1149	0.0330
			1152	0.2636
			1154	0.0501
			1155	0.0020
			1153	0.0155
			Total	3.6615

[F. No. L-14014/4/05-G.P. (Pt-II)]
S. B. MANDAL, Under Secy.

नई दिल्ली, 7 अक्टूबर, 2005

क्र. आ. 3740.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2720 तारीख, 15 अक्टूबर, 2004 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गैल (इण्डिया) लिमिटेड द्वारा, उत्तर प्रदेश राज्य में थूलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 2 जून, 2005 को उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाय, पाइपलाइन बिछाने का प्रस्ताव करने वाली गैल (इण्डिया) लिमिटेड, में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विलंगनों से मुक्त, गैल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए (हेक्टेयर में)
1	2	3	4	5
इलाहाबाद	फूलपुर	रायदेपुर	110	0-01-76
			109	0-05-97
			108	0-08-31

1	2	3	4	5
इलाहाबाद	फूलपुर	रायदेपुर	107	0-08-39
			121	0-80-08
			120	0-00-10
			123	0-00-55
			122	0-07-41
			149	0-02-91
			147	0-00-83
			153	0-03-97
			152	0-01-09
			148	0-01-42
			155	0-00-11
			154	0-04-01
			157	0-02-18
			172	0-04-70
			151	0-01-91
			174	0-00-19
			173	0-09-72
			171	0-07-74
			188	0-00-10
			187/488	0-03-02
			183	0-02-18
			187	0-02-21
			186	0-00-68
			सर्वे नं. 189 (यक्की रोड)	0-02-70
			189	0-00-80
			192	0-00-50
			190	0-02-03
			191	0-10-73
			192	0-00-61
			196	0-13-53
			197/488	0-03-20
			कुल	1-23-64

[फ. सं. एल-14014/4/05 जी.पी. (भाग-II)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 7th October, 2005

S.O. 3740.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S. O. 2720 dated the 15th October, 2004 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transport of natural gas through Thulendi

to Phoolpur pipeline project in the State of Uttar Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 2nd June, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the Competent Authority has, under Sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appeared to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India), Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vested in the GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Allahabad	Phoolpur	Raidepur	110	0-01-76
			109	0-05-97
			108	0-08-31
			107	0-08-39
			121	0-08-08
			120	0-00-10
			123	0-00-55
			122	0-07-41
			149	0-02-91
			147	0-00-83
			153	0-03-97
			152	0-01-09
			148	0-01-42
			155	0-00-11
			154	0-04-01

1	2	3	4	5
Allahabad	Phoolpur	Raidepur	157	0-02-18
			172	0-04-70
			151	0-01-91
			174	0-00-19
			173	0-09-72
			171	0-07-74
			188	0-00-10
			187/488	0-03-02
			183	0-02-18
			187	0-02-21
			186	0-00-68
			In Svy.No.	0-02-70
			189 (Metalled Road)	
			189	0-00-80
			192	0-00-50
			190	0-02-03
			191	0-10-73
			192	0-00-61
			196	0-13-53
			197/488	0-03-20
			Total	1-23-64

[F. No. L-14014/4/05-GP (Pt-II)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 7 अक्टूबर, 2005

का. आ. 3741.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 363(अ), तारीख, 21 मार्च, 2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इंडिया) लिमिटेड द्वारा, उत्तर प्रदेश राज्य में भूलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 2 जून, 2005 को उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के

लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइनें बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइनें बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाय, पाइपलाइनें बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड, में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विप्लवों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ.यू. अर्जित करने लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
इलाहाबाद	फूलपुर	कनेहटी	1029	0.0075
			1030	0.0960
			1031	0.1238
			1037	0.1522
			1035	0.0760
			1036	0.0169
			1045	0.1560
			988 (नाला)	0.0198
			1054	0.2071
			चक रोड	0.0407
			986	0.0167
			977	0.1278
			975	0.0256
			973	0.0482
			972 (नाला)	0.0139
			962	0.0033
			966	0.1124
			967	0.2059
			1062	0.0011
			1061	0.0997
			1064	0.1352
			1077	0.0010
			1118	0.1800
			1115	0.2244

1	2	3	4	5
इलाहाबाद	फूलपुर	कनेहटी	1210	0.1664
			1116	0.0870
			1209	0.0149
			1211	0.2720
			1215	0.0260
			1216	0.3242
			1217	0.0333
			1218	0.1348
			1226	0.0920
			1223	0.3871
			1222	0.2343
			1063 (रेल लाइन)	0.1680
			कुल	4.0312

बकसेड़ा

3	0.0189
4	0.0455
5	0.0254
6	0.0080
20	0.0203
21	0.0166
22	0.1284
23	0.2398
25	0.0200
30	0.0376
27	0.0402
28	0.0287
179	0.0311
176	0.0663
175	0.1684
202	0.1047
201	0.0125
174	0.0190
172	0.0013
173	0.0392
204	0.0500
217	0.0097
218	0.0791
228	0.0316
229	0.0094
234	0.0047
226	0.0218
219	0.1159
225	0.0315
224	0.1538
223	0.0016

1	2	3	4	5
इलाहाबाद	फूलपुर	बकसेडा	236	0.0886
			222	0.0083
			276	0.1441
			275	0.0097
			281	0.0313
			274	0.004
			300	0.0010
			282	0.1634
			298	0.0543
			479	0.2055
			480	0.1115
			481	0.0818
			476	0.0119
			485	0.0208
			486	0.0615
			487	0.2216
			505	0.0084
			506	0.0238
			507	0.1724
		चक मार्ग		0.0118
			616	0.1295
			617	0.0364
			618	0.0077
			613	0.0012
			633	0.1063
			620	0.1167
			621	0.1154
			622	0.0209
			623	0.0010
			624	0.0260
			625	0.0352
		कुल		3.6132

[फा. सं. एल-14014/4/05-जी पी (भाग-II)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 7th October, 2005

S.O. 3741.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 363(E) dated the 21st March, 2004 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transportation of natural gas from Thulendi to Phoolpur pipeline project in the State of Uttar Pradesh by the GAIL (India) Limited;

And, whereas, copies of the said Gazette notification were made available to the public on 2nd June, 2005;

And, whereas, the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And, whereas, the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted its report to the Central Government;

And, whereas, the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appeared to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in the GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Allahabad	Phoolpur	Kanehati	1029	0.0075
			1030	0.0960
			1031	0.1238
			1037	0.1522
			1035	0.0760
			1036	0.0169
			1045	0.1560
			988 (Nala)	0.0198
			1054	0.2071
		Chak Road		0.0407
			986	0.0167
			977	0.1278
			975	0.0256
			973	0.0482
			972 (Nala)	0.0139
			962	0.0033
			966	0.1124

1	2	3	4	5	1	2	3	4	5
Allahabad	Phoolpur	Kanehati	967	0.2059	Allahabad	Phoolpur	Bakseda	226	0.0218
			1062	0.0011				219	0.1159
			1061	0.0997				225	0.0315
			1064	0.1352				224	0.1538
			1077	0.0010				223	0.0016
			1118	0.1800				236	0.0886
			1115	0.2244				222	0.0083
			1210	0.1664				276	0.1441
			1116	0.0870				275	0.0097
			1209	0.0149				281	0.0313
			1211	0.2720				274	0.0042
			1215	0.0260				300	0.0010
			1216	0.3242				282	0.1634
			1217	0.0333				298	0.0543
			1218	0.1348				479	0.2055
			1226	0.0920				480	0.1115
			1223	0.3871				481	0.0818
			1222	0.2343				476	0.0119
			1063 (Rail Line)	0.1680				485	0.0208
			Total	4.0312				486	0.0615
								487	0.2216
		Bakseda	3	0.0189				505	0.0084
			4	0.0455				506	0.0238
			5	0.0254				507	0.1724
			6	0.0080				Chak Marg	0.0118
			20	0.0203				616	0.1295
			21	0.0166				617	0.0364
			22	0.1284				618	0.0077
			23	0.2398				613	0.0012
			25	0.0200				633	0.1063
			30	0.0376				620	0.1167
			27	0.0402				621	0.1154
			28	0.0287				622	0.0209
			179	0.0311				623	0.0010
			176	0.0663				624	0.0260
			175	0.1684				625	0.0352
			202	0.1047				Total	3.6132
			201	0.0125					
			174	0.0190					
			172	0.0013					
			173	0.0392					
			204	0.0500					
			217	0.0097					
			218	0.0791					
			228	0.0316					
			229	0.0094					
			234	0.0047					

[F.No. L-14014/4/05- GP (Pt-II)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 7 अक्टूबर, 2005

क.आ. 3742.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि उत्तर प्रदेश राज्य में थूलेन्डी से फूलपुर पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए गैर (इंडिया) लिमिटेड द्वारा, एक पाइपलाइन बिछाई जानी चाहिए;

और, केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त

पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है:-

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हिबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, श्री रामावतार पाल, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, बी-35 व 36, सेक्टर-1, नोएडा-201301 (उत्तर प्रदेश) को लिखित रूप में आपेक्ष भेज सकेगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ.यू. अर्जित करने लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
राय बरेली	सलोन	रोखा	1104	0.0010
			1072	0.0025
			1066	0.1500
			1067	0.0570
			4109	0.0250
			4108	0.0550
			4107	0.0563
			4106	0.0200
			4104	0.0032
			4105	0.0156
			4100	0.0312
			4103	0.0234
			4101	0.1225
			4064	0.0125
			4092	0.0175
			4066	0.0350
			4090	0.0225
			4077	0.0450
			1096	0.1012
			1077	0.1313
			4088	0.0350
			कुल	0.9627

[फा. सं. एल-14014/4/05 जी पी (भाग-II)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 7th October, 2005

S.O. 3742.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas from Thulendi to Phoolpur pipeline project in the State of Uttar Pradesh, a pipeline should be laid by the GAIL (India) Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any, person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public object in writing to the laying of the pipeline under the land to Shri Ramavtar Pal, Competent Authority, GAIL (India) Limited, B-35 & 36, Sector-1, Noida-201 301 (Uttar Pradesh).

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectare)
1	2	3	4	5
Rai Bareilly	Salon	Rokha	1104	0.0010
			1072	0.0025
			1066	0.1500
			1067	0.0570
			4109	0.0250
			4108	0.0550
			4107	0.0563
			4106	0.0200
			4104	0.0032
			4105	0.0156
			4100	0.0312
			4103	0.0234
			4101	0.1225
			4064	0.0125
			4092	0.0175
			4066	0.0350
			4090	0.0225
			4077	0.0450
			1096	0.1012
			1077	0.1313
			4088	0.0350
			Total	0.9627

[F. No. L-14014/4/05-GP (Pt-II)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 14 अक्टूबर, 2005

का. आ. 3743.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 11-6-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. संख्या 2070 तारीख 07-06-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में, कोयली से दहेज तक पेट्रोलियम उत्पादों के परिवहन के लिए गुजरात रिफाइनरी इंडियन ऑयल कॉर्पोरेशन लिमिटेड, वडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचन की प्रतियां सक्षम प्राधिकारी ओफिस से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए इंडियन ऑयल कॉर्पोरेशन लिमिटेड वडोदरा में सभी विल्लगनों से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

तालुका : वडोदरा

जिला : वडोदरा

राज्य : गुजरात

गाँव का नाम	सर्वेक्षण सं. — खण्ड सं.	उप — खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1- कोयली	1017	4E	00	20	05
	1022	P	00	06	67
	1019	1	00	08	19
	1019	2	00	05	63
	1020	-	00	00	09
	1018	-	00	00	88
	1013	2	00	11	18
	1013	1	00	01	80
	1014	-	00	16	40
	891	-	00	10	75
	909	-	00	08	93
	892	-	00	24	13
	889	-	00	16	35
	888	-	00	01	51
	848	-	00	12	14
	852	-	00	12	09
	853	-	00	02	12
	840	-	00	00	75
	584	-	00	01	26
	841	-	00	05	12
	585	-	00	13	66
	581	-	00	16	64
	573	-	00	14	17
	594	-	00	01	38
	577	-	00	06	45
	579	-	00	15	08
	623	P	00	22	07
	624	3	00	12	16
	547	-	00	04	89
	530	P1	00	13	77
	530	P2	00	36	43
	536	-	00	17	64
	532	-	00	00	79
	535	-	00	05	14
1	2	3	4	5	6
2-शेरखी	389 / 225	-	00	15	89
	389 / 222	-	00	10	03
	392 / 221	-	00	10	62
	393 / 227	2	00	09	11

1	2	3	4	5	6
2-शेरद (जारी)	394 / 227	3	00	07	27
	395 / 219	-	00	06	47
	396 / 227	5	00	15	91
	399 / 230	1	00	16	02
	399 / 228	3	00	16	26
	399 / 229	-	00	06	85
	399 / 232	-	00	01	44
	439 / 233	1	00	08	45
	441 / 233	2	00	07	76
	442 / 235	1	00	09	80
	446 / 235	5	00	09	92
	445 / 234	-	00	27	57
	464 / 259	-	00	15	84
	458 / 260	-	00	16	39
	460 / 266	1	00	12	01
	459 / 266	2	00	10	74
	728 / 424	1	00	20	01
	731 / 426	1	00	11	23
	733 / 426	3	00	01	35
	696 / 400	-	00	15	41
	697 / 401	2	00	10	80
	700 / 402	2	00	11	02
	701 / 403	1	00	12	35
	702 / 403	2	00	18	28
	703 / 404	-	00	00	52
	684 / 393	1	00	16	75
	683 / 393	2	00	00	88
	669 / 390	-	00	01	14
	669 / 391	-	00	15	19
	671 / 392	1	00	15	16
	672 / 392	2	00	10	47
	674 / 377	2	00	18	76
	676 / 377	3	00	20	34
	801 / 451	1	00	03	69
	802 / 451	2	00	06	06
	803 / 451	3	00	05	20
	804 / 451	4	00	05	40
	805 / 452	2	00	09	69
	806 / 452	3	00	05	70
	807 / 452	1	00	04	57
	809 / 454	-	00	12	34
	808 / 453	-	00	02	59
	837 / 473	1	00	16	44
	838 / 473	2	00	12	04
	839 / 473	5A	00	07	07
	840 / 473	1/B 3+4	00	03	75
	841 / 473	5B	00	06	82
	842 / 474	1	00	09	52

1	2	3	4	5	6
2—शेरखा (जारी)	843 / 474	2	00	06	23
	844 / 476	3	00	11	91
	946 / 518	-	00	25	42
	955 / 528	1	00	18	74
	961 / 528	5	00	18	26
	962 / 530	1	00	07	03
	963 / 530	2	00	05	63
	968 / 530	3	00	07	38
	969 / 530	4	00	02	57
	968 / 529	1	00	17	96
1	2	3	4	5	6
3—सेवासी	794	-	00	06	84
	793	-	00	08	38
	792	-	00	08	37
	791	-	00	11	45
	795	-	00	00	01
1	2	3	4	5	6
4—महापुरा	86	P/1P	00	15	06
	86	P/1P	00	15	77
	85	A	00	13	84
	84	A	00	11	92
	83	1P	00	01	14
	83	1P	00	14	16
	78	-	00	17	86
	77	A	00	12	94
	65	-	00	10	67
1	2	3	4	5	6
5—अंपाड	174	A	00	00	52
	206	-	00	11	76
	207	-	00	22	89
	209	-	00	02	18
	208	-	00	09	48
	213	-	00	16	72
	212	-	00	06	70
	216	A	00	10	11
	215	-	00	17	74
	218	B	00	01	45
	234	B1	00	11	98
	235	P1	00	15	70
	236	-	00	15	17
	238	-	00	19	24
	237	-	00	08	59
	265	-	00	00	05
1	2	3	4	5	6
6—भायल	1347	-	00	01	30
	1345	-	00	06	90
	1344	-	00	08	48

1	2	3	4	5	6
7- रा पुरा	405	-	00	08	22
	404	-	00	07	58
	406	-	00	07	50
	407	-	00	07	97
	403	-	00	03	17
	402	-	00	13	94
	413	-	00	10	59
	414	-	00	00	18
	415	-	00	11	84
	416	-	00	11	37
	417	1	00	04	82
	417	2	00	08	86
	418	-	00	02	75
	383	-	00	11	47
	376	-	00	00	76
	377	-	00	18	67
	374	A	00	00	88
	374	B	00	04	96
	373	2	00	05	92
	342	1	00	09	47
	341	-	00	03	27
	343	-	00	10	01
	344	-	00	03	28
	345	2	00	09	38
	337	2	00	00	96
	336	1	00	02	05
	336	2	00	02	27
	336	4	00	09	68
	336	3	00	01	49
	328	-	00	12	65
	329	-	00	09	41
	323	-	00	03	36
	299	-	00	16	76
	317	-	00	01	62
	316	P/1	00	13	39
	311	-	00	02	18
	315	1	00	00	06
	313	-	00	09	57
	246	P1	00	07	67
	246	2P1	00	05	27
	246	3P1	00	01	96
	244	P1	00	00	19
	246	4/B/P2	00	00	02
	245	3/P/1	00	06	55
	245	1	00	03	01
	245	2	00	00	85
	238	-	00	20	10
	237	3	00	05	64

	2	3	4	5	6
7-रायपुरा(जरी)	237	2	00	10	47
	235	-	00	09	51
	234	-	00	00	68
	230	-	00	11	75
	229	-	00	12	12
	228	4	00	10	75
	228	3	00	00	88
	228	1	00	03	57
	228	2	00	03	34
	228	5	00	06	56
	205	-	00	07	73

[फा. सं. आर-25011/3/2005-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 14th October, 2005

S. O. 3743.— Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas S.O. 2070 dated 07-06-2005 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule annexed to that notification for the purpose of laying Pipeline for the transportation of Petroleum Product from Koyali to Dahej in the State of Gujarat by the Indian Oil Corporation Limited;

And whereas, the copies of the said gazette notification were made available to the general public from the Dy. Collector & Competent Authority office;

And whereas, the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government has after considering the said report and on being satisfied that said land is required for laying pipeline has decide to acquire the right of user their in.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting the Central Government vests on this date of the publication of this declaration in the Indian oil corporation limited, free from all encumbrances.

SCHEDULE

Taluka: Vadodara

Dist: Vadodara

State: Gujarat

Name of Village	Survey/ Block No.	Sub- Division No.	Area		
			Hectare.	Are	Centiare
1	2	3	4	5	6
1 - KOYALI	1017	4E	00	20	05
	1022	P	00	06	67
	1019	1	00	08	19
	1019	2	00	05	63
	1020	-	00	00	09
	1018	-	00	00	88
	1013	2	00	11	18
	1013	1	00	01	80
	1014	-	00	16	40
	891	-	00	10	75
	909	-	00	08	93
	892	-	00	24	13
	889	-	00	16	35
	888	-	00	01	51
	848	-	00	12	14
	852	-	00	12	09
	853	-	00	02	12
	840	-	00	00	75
	584	-	00	01	26
	841	-	00	05	12
	585	-	00	13	66
	581	-	00	16	64
	573	-	00	14	17
	594	-	00	01	38
	577	-	00	06	45
	579	-	00	15	08
	623	P	00	22	07
	624	3	00	12	16
	547	-	00	04	89
	530	P1	00	13	77
	530	P2	00	36	43
	536	-	00	17	64
	532	-	00	00	79
	535	-	00	05	14
1	2	3	4	5	6
2 - SHERKHI	389 / 225	-	00	15	89
	389 / 222	-	00	10	03
	392 / 221	-	00	10	62
	393 / 227	2	00	09	11

1	2	3	4	5	6
2 - SHERKHI(Contd.)	394 / 227	3	00	07	27
	395 / 219	-	00	06	47
	396 / 227	5	00	15	91
	399 / 230	1	00	16	02
	399 / 228	3	00	16	26
	399 / 229	-	00	06	85
	399 / 232	-	00	01	44
	439 / 233	1	00	08	45
	441 / 233	2	00	07	76
	442 / 235	1	00	09	80
	446 / 235	5	00	09	92
	445 / 234	-	00	27	57
	464 / 259	-	00	15	84
	458 / 260	-	00	16	39
	460 / 266	1	00	12	01
	459 / 266	2	00	10	74
	728 / 424	1	00	20	01
	731 / 426	1	00	11	23
	733 / 426	3	00	01	35
	696 / 400	-	00	15	41
	697 / 401	2	00	10	80
	700 / 402	2	00	11	02
	701 / 403	1	00	12	35
	702 / 403	2	00	18	28
	703 / 404	-	00	00	52
	684 / 393	1	00	16	75
	683 / 393	2	00	00	88
	669 / 390	-	00	01	14
	669 / 391	-	00	15	19
	671 / 392	1	00	15	16
	672 / 392	2	00	10	47
	674 / 377	2	00	18	76
	676 / 377	3	00	20	34
	801 / 451	1	00	03	69
	802 / 451	2	00	06	06
	803 / 451	3	00	05	20
	804 / 451	4	00	05	40
	805 / 452	2	00	09	69
	806 / 452	3	00	05	70
	807 / 452	1	00	04	57
	809 / 454	-	00	12	34
	808 / 453	-	00	02	59
	837 / 473	1	00	16	44
	838 / 473	2	00	12	04
	839 / 473	5A	00	07	07
	840 / 473	1B/3+4	00	03	75
	841 / 473	5B	00	06	82
	842 / 474	1	00	09	52

1	2	3	4	5	6
2 - SHERKHI(Contd.)	843 / 474	2	00	06	23
	844 / 476	3	00	11	91
	946 / 518	-	00	25	42
	955 / 528	1	00	18	74
	961 / 528	5	00	18	26
	962 / 530	1	00	07	03
	963 / 530	2	00	05	63
	968 / 530	3	00	07	38
	969 / 530	4	00	02	57
	968 / 529	1	00	17	96
1	2	3	4	5	6
3 - SEVASI	794	-	00	06	84
	793	-	00	08	38
	792	-	00	08	37
	791	-	00	11	45
	795	-	00	00	01
1	2	3	4	5	6
4 - MAHAPUR	86	P/1P	00	15	06
	86	P/1P	00	15	77
	85	A	00	13	84
	84	A	00	11	92
	83	1P	00	01	14
	83	1P	00	14	16
	78	-	00	17	86
	77	A	00	12	94
	65	-	00	10	67
1	2	3	4	5	6
5 - AMPAD	174	A	00	00	52
	206	-	00	11	76
	207	-	00	22	89
	209	-	00	02	18
	208	-	00	09	48
	213	-	00	16	72
	212	-	00	06	70
	216	A	00	10	11
	215	-	00	17	74
	218	B	00	01	45
	234	B1	00	11	98
	235	P1	00	15	70
	236	-	00	15	17
	238	-	00	19	24
	237	-	00	08	59
	265	-	00	00	05
1	2	3	4	5	6
6 - BHAILI	1347	-	00	01	30
	1345	-	00	06	90
	1344	-	00	08	48

1	2	3	4	5	6
7 - RAIPURA	405	-	00	08	22
	404	-	00	07	58
	406	-	00	07	50
	407	-	00	07	97
	403	-	00	03	17
	402	-	00	13	94
	413	-	00	10	59
	414	-	00	00	18
	415	-	00	11	84
	416	-	00	11	37
	417	1	00	04	82
	417	2	00	08	86
	418	-	00	02	75
	383	-	00	11	47
	376	-	00	00	76
	377	-	00	18	67
	374	A	00	00	88
	374	B	00	04	96
	373	2	00	05	92
	342	1	00	09	47
	341	-	00	03	27
	343	-	00	10	01
	344	-	00	03	28
	345	2	00	09	38
	337	2	00	00	96
	336	1	00	02	05
	336	2	00	02	27
	336	4	00	09	68
	336	3	00	01	49
	328	-	00	12	65
	329	-	00	09	41
	323	-	00	03	36
	299	-	00	16	76
	317	-	00	01	62
	316	P/1	00	13	39
	311	-	00	02	18
	315	1	00	00	06
	313	-	00	09	57
	246	P1	00	07	67
	246	2P1	00	05	27
	246	3P1	00	01	96
	244	P1	00	00	19
	246	4/B/P2	00	00	02
	245	3/P/1	00	06	55
	245	1	00	03	01
	245	2	00	00	85
	238	-	00	20	10
	237	3	00	05	64

1	2	3	4	5	6
7 - RAIPURA(Contd.)	237	2	00	10	47
	235	-	00	09	51
	234	-	00	00	68
	230	-	00	11	75
	229	-	00	12	12
	228	4	00	10	75
	228	3	00	00	88
	228	1	00	03	57
	228	2	00	03	34
	228	5	00	06	56
	205	-	00	07	73

[F. No. R-25011/3/2005-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 14 अक्टूबर, 2005

का. आ. 3744.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 11-6-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. संख्या 2069 तारीख 07-06-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में, कोयली से दहेज तक पेट्रोलियम उत्पादों के परिवहन के लिए गुजरात रिफाईनरी इंडियन ऑयल कॉर्पोरेशन लिमिटेड, वडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचन की प्रतियां सक्षम प्राधिकारी ओफिस से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए इंडियन ऑयल कॉर्पोरेशन लिमिटेड वडोदरा में सभी विलगनों से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

तालुका : वागरा

जिला : भरुच

राज्य : गुजरात

गाँव का नाम	सर्वेक्षण सं. - खण्ड सं.	उप - खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
36-बदलपुर	51	-	00	27	16
	50	-	00	00	28
	53	-	00	05	38
	49	-	00	31	69
	54	-	00	01	26
	48	-	00	45	78
	59	-	00	45	47
	61	-	00	19	53
	60	-	00	28	20
	63	-	00	16	80
	66	-	00	32	23
	214	A	00	27	87
	185	-	00	06	72
	214	A/2	00	06	60
	187	-	00	06	67
	190	-	00	21	09
	209	P4	00	25	42
	209	P5	00	11	82
	209	P6	00	08	63
	209	P8	00	12	97
	206	-	00	46	33
1	2	3	4	5	6
37-पडलपुर/चांचवेल	1293	23	00	09	38
	1294	24	00	51	38
	1295	25	00	19	39
	1299/A	29/B	00	19	53
	1318	48	00	32	66
	1315	45	00	06	06
	1314/B	44/A	00	12	46
	1314/A	44/B	00	16	71
	1323	53	00	16	31
	1313	43	00	22	20
	1312	42	00	09	56
	1325/A	55/B	00	20	19
	1327/B	57/B	00	20	85
	1327/A	57/A	00	25	71
	1326	56	00	02	73

1	2	3	4	5	6
38—केशवान(1)	300	-	00	00	27
	299	-	00	22	44
	298	-	00	00	15
	291	-	00	01	99
	292	-	00	42	58
	290	-	00	19	62
	288	-	00	00	64
	289	-	00	15	64
	312	-	00	23	36
	311	-	00	00	77
	313	-	00	09	26
	310	-	00	34	95
	415	-	00	05	67
	414	-	00	52	99
	425	-	00	02	42
	430	-	00	24	48
	412	-	00	18	11
	431	-	00	19	93
	411	-	00	00	64
	433	-	00	21	30
	435	-	00	14	56
	434	-	00	18	65
	394	-	00	22	05
	393	-	00	30	79
	388	-	00	18	85
	385	-	00	04	76
	387	-	00	05	86
	375	-	00	15	85
	376	-	00	22	34
	372	-	00	43	90
1	2	3	4	5	6
38—केशवान(2)	1043	A	00	13	97
	1021	-	00	04	75
	1020	-	00	42	96
	1023	-	00	09	01
	1026	-	00	07	02
	1025	-	00	13	35
	1024	-	00	08	51
	893	-	00	16	14
	892	-	00	09	61
	891	-	00	05	60
	890	-	00	00	63
	875	-	00	02	49
	877	-	00	08	64
	878	-	00	19	13
	879	-	00	07	19
	874	-	00	09	32
	880	-	00	00	75

1	2	3	4	5	6
38—केशवान(2)(जारी)	871	-	00	32	19
	870	-	00	02	38
	930	-	00	17	68
	931	-	00	18	61
	932	-	00	35	65
	947	-	00	63	57
	946	-	00	17	86
	945	-	00	10	98
1	2	3	4	5	6
39—ट्रकाल	181	-	00	00	78
	186	-	00	29	20
	185	-	00	13	59
	188	-	00	31	75
	187	-	00	22	80
1	2	3	4	5	6
40—अभेल	264	-	00	00	90
	265	-	00	43	14
	270	-	00	07	80
	271	-	00	34	18
	268	P/2	00	10	62
	289	P	00	08	86
	288	-	00	04	63
	374	P	00	40	66
	375	P	00	09	84
	378	-	00	10	20
	377	-	00	51	13
	47	-	00	21	24
	49	-	00	00	70
	61	A	00	35	18
	69	-	00	28	20
	61	B	00	00	88
	70	-	00	21	56
	77	-	00	13	51
	76	-	00	09	26
	74	-	00	00	08
	79	A	00	01	95
	75	-	00	18	29
1	2	3	4	5	6
41—गोलाद्रा	277	-	00	21	38
	274	-	00	06	60
	275	-	00	18	36
	269	B	00	08	65
	269	A	00	16	40
	267	-	00	00	12
	268	A	00	04	38
	268	B	00	16	74
	229	-	00	26	37

1	2	3	4	5	6
41-गोलादा(जारी)	228	-	00	33	78
	226	-	00	00	10
	227	-	00	00	95
	208	P1	00	18	95
	206	-	00	00	02
	207	P2	00	11	88
	207	P1	00	03	35
	143	-	00	30	90
	144	-	00	13	92
	142	-	00	23	09
	139	-	00	29	43
	140	A	00	14	68
1	2	3	4	5	6
42-नरनादी	52	-	00	00	67
	49	-	00	33	47
	50	P2	00	21	30
	50	P1	00	11	26
	48	B	00	01	14
	74	-	00	17	01
	75	-	00	25	08
	76	-	00	17	57
	77	-	00	11	37
	78	-	00	00	12
	80	-	00	26	25
	102	P/2	00	16	24
	100	-	00	02	99
	99	-	00	06	46
	98	-	00	15	55
	95	-	00	17	02
	200	A	00	39	08
	201	P/2	00	13	94
	201	P/1	00	04	51
	204	-	00	35	15
	243	-	00	25	37
	242	-	00	09	08
	240	-	00	22	55
	239	-	00	02	11
	238	-	00	29	08
	237	-	00	05	37
	229	-	00	00	16
	228	-	00	18	92
1	2	3	4	5	6
43-पादरीयाजलालपुर	164	-	00	14	81
	165	A	00	08	69
	166	A	00	37	46
	166	B	00	03	94
	178	-	00	00	07
	169	-	00	00	29

1	2	3	4	5	6
43—पादरीयाजहालपुर(जारी)	170		00	20	06
	168	-	00	06	52
	171	-	00	24	02
	175	-	00	04	43
	172	-	00	00	61
	9	-	00	17	42
	8	-	00	14	32
	19	B	00	09	85
1	2	3	4	5	6
44—कडदरा	790	-	00	09	47
	791	-	00	01	45
	789	-	00	06	50
	789	P	00	04	10
	681	-	00	08	27
	682	-	00	23	47
	684	B	00	11	62
	683	-	00	00	40
	684	A	00	32	98
	685	-	00	04	60
	673	P/2	00	19	24
	688	-	00	11	01
	671	-	00	10	23
	669	-	00	09	07
	668	-	00	05	60
	665	-	00	01	33
	664	-	00	05	87
	663	-	00	01	25
	662	B	00	16	67
	661	-	00	12	58
	656	-	00	31	35
	612	-	00	00	76
	613	-	00	10	29
	614	-	00	06	61
	615	A	00	00	16
	394	P/2	00	10	59
	608	-	00	12	10
	607	-	00	15	65
	582	-	00	13	00
	605	-	00	17	24
	604	-	00	05	00
	585	-	00	02	04
	599	-	00	05	03
	586	P/1	00	17	62
	586	P/2	00	01	17
	587	-	00	26	98
	588	-	00	01	42
	458	-	00	01	27

1	2	3	4	5	6
44—कडोदरा(जारी)	457	-	00	17	30
	458	-	00	14	04
	460	-	00	09	25
	455	-	00	00	48
	452	-	00	23	35
	437	-	00	19	05
	436	-	00	03	24
	405	-	00	12	69
	409	-	00	05	95
	408	-	00	27	32
	209	-	00	00	11
	207	-	00	09	42
	206	-	00	13	24
	205	-	00	13	99
	193	-	00	05	30
1	2	3	4	5	6
45—दहेज	1393	-	00	29	61
	1392	-	00	18	06
	1391	-	00	13	50
	1390	-	00	19	23
	1389	-	00	17	38
	1388	-	00	25	45
	1504	-	00	08	82
	1304	-	00	53	43
	1303	-	00	15	67
	1305	-	00	28	10
	1306	-	00	01	44
	1307	-	00	16	38
	1308	-	00	03	28
	1311	-	00	51	02
	1275	-	00	07	95
	1312	-	00	07	48
	1313	-	00	08	45
	1314	-	00	12	21
	1315	-	00	21	11
	1247	-	00	33	09
	1248	-	00	04	85
	1249	-	00	02	36
	1261	A	00	21	68
	1257	P	00	27	39
	1250	-	00	06	57
	1251	-	00	20	21

1	2	3	4	5	6
45-दहेज (जारी)	945	-	00	00	63
	944	-	00	36	85
	1532	-	00	03	98
	1530	-	00	03	52
	1529	-	00	02	43

[फा. सं. आर-25011/3/2005-ओ.आर.-1]

एस. के. चिटकारा, अवसर सचिव

New Delhi, the 14th October, 2005

S. O. 3744.—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas S.O. 2069 dated 07-06-2005 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule annexed to that notification for the purpose of laying Pipeline for the transportation of Petroleum Product from Koyali to Dahej in the State of Gujarat by the Indian Oil Corporation Limited;

And whereas, the copies of the said gazette notification were made available to the general public from the Dy. Collector & Competent Authority office;

And whereas, the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government has after considering the said report and on being satisfied that said land is required for laying pipeline has decide to acquire the right of user their in.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting the Central Government vests on this date of the publication of this declaration in the Indian oil corporation limited, free from all encumbrances.

SCHEDULE

Taluka: Vagra

Dist: Bharuch

State: Gujarat

Name of Village	Survey / Block No.	Sub- Division No.	Area		
			Hectare.	Are	Centiare
1	2	3	4	5	6
36 - BADALPUR	51	-	00	27	16
	50	-	00	00	28
	53	-	00	05	38
	49	-	00	31	69
	54	-	00	01	26
	48	-	00	45	78
	59	-	00	45	47
	61	-	00	19	53
	60	-	00	28	20
	63	-	00	16	80
	66	-	00	32	23
	214	A	00	27	87
	185	-	00	06	72
	214	A/2	00	06	60
	187	-	00	06	67
	190	-	00	21	09
	209	P4	00	25	42
	209	P5	00	11	82
	209	P6	00	08	63
	209	P8	00	12	97
	206	-	00	46	33
1	2	3	4	5	6
37 - PADALPUR/ CHANCHVEL	1293	23	00	09	38
	1294	24	00	51	38
	1295	25	00	19	39
	1299/A	29/B	00	19	53
	1318	48	00	32	66
	1315	45	00	06	06
	1314/B	44/A	00	12	46
	1314/A	44/B	00	16	71
	1323	53	00	16	31
	1313	43	00	22	20
	1312	42	00	09	56
	1325/A	55/B	00	20	19
	1327/B	57/B	00	20	85
	1327/A	57/A	00	25	71
	1326	56	00	02	73

1	2	3	4	5	6
38 - KESHWAN (1)	300	-	00	00	27
	299	-	00	22	44
	298	-	00	00	15
	291	-	00	01	99
	292	-	00	42	58
	290	-	00	19	62
	288	-	00	00	64
	289	-	00	15	64
	312	-	00	23	36
	311	-	00	00	77
	313	-	00	09	26
	310	-	00	34	95
	415	-	00	05	67
	414	-	00	52	99
	425	-	00	02	42
	430	-	00	24	48
	412	-	00	18	11
	431	-	00	19	93
	411	-	00	00	64
	433	-	00	21	30
	435	-	00	14	56
	434	-	00	18	65
	394	-	00	22	05
	393	-	00	30	79
	388	-	00	18	85
	385	-	00	04	76
	387	-	00	05	86
	375	-	00	15	85
	376	-	00	22	34
	372	-	00	43	90
1	2	3	4	5	6
38 - KESHWAN (2)	1043	A	00	13	97
	1021	-	00	04	75
	1020	-	00	42	96
	1023	-	00	09	01
	1026	-	00	07	02
	1025	-	00	13	35
	1024	-	00	08	51
	893	-	00	16	14
	892	-	00	09	61
	891	-	00	05	60
	890	-	00	00	63
	875	-	00	02	49
	877	-	00	08	64
	878	-	00	19	13
	879	-	00	07	19
	874	-	00	09	32
	880	-	00	00	75

1	2	3	4	5	6
38 - KESHWAN (2)(Contd.)	871	-	00	32	19
	870	-	00	02	38
	930	-	00	17	68
	931	-	00	18	61
	932	-	00	35	65
	947	-	00	63	57
	946	-	00	17	86
	945	-	00	10	98
1	2	3	4	5	6
39 - TRANKAL	181	-	00	00	78
	186	-	00	29	20
	185	-	00	13	59
	188	-	00	31	75
	187	-	00	22	80
1	2	3	4	5	6
40 - AMBHEL	264	-	00	00	90
	265	-	00	43	14
	270	-	00	07	80
	271	-	00	34	18
	268	P/2	00	10	62
	289	P	00	08	86
	288	-	00	04	63
	374	P	00	40	66
	375	P	00	09	84
	378	-	00	10	20
	377	-	00	51	13
	47	-	00	21	24
	49	-	00	00	70
	61	A	00	35	18
	69	-	00	28	20
	61	B	00	00	88
	70	-	00	21	56
	77	-	00	13	51
	76	-	00	09	26
	74	-	00	00	08
	79	A	00	01	95
	75	-	00	18	29
1	2	3	4	5	6
41 - GOLADRA	277	-	00	21	38
	274	-	00	06	60
	275	-	00	18	36
	269	B	00	08	65
	269	A	00	16	40
	267	-	00	00	12
	268	A	00	04	38
	268	B	00	16	74
	229	-	00	26	37

1	2	3	4	5	6
41 - GOLADRA(Contd.)	228	-	00	33	78
	226	-	00	00	10
	227	-	00	00	95
	208	P1	00	18	95
	206	-	00	00	02
	207	P2	00	11	88
	207	P1	00	03	35
	143	-	00	30	90
	144	-	00	13	92
	142	-	00	23	09
	139	-	00	29	43
	140	A	00	14	68
1	2	3	4	5	6
42 - NARNAVI	52	-	00	00	67
	49	-	00	33	47
	50	P2	00	21	30
	50	P1	00	11	26
	48	B	00	01	14
	74	-	00	17	01
	75	-	00	25	08
	76	-	00	17	57
	77	-	00	11	37
	78	-	00	00	12
	80	-	00	26	25
	102	P/2	00	16	24
	100	-	00	02	99
	99	-	00	06	46
	98	-	00	15	55
	95	-	00	17	02
	200	A	00	39	08
	201	P/2	00	13	94
	201	P/1	00	04	51
	204	-	00	35	15
	243	-	00	25	37
	242	-	00	09	08
	240	-	00	22	55
	239	-	00	02	11
	238	-	00	29	08
	237	-	00	05	37
	229	-	00	00	16
	228	-	00	18	92
1	2	3	4	5	6
43 PADARIYA JALALPUR	164	-	00	14	81
	165	A	00	06	69
	166	A	00	37	46
	166	B	00	03	94
	178	-	00	00	07
	169	-	00	00	29

1	2	3	4	5	6
43 - PADARIYA JALALPUR(Contd.)	170	-	00	20	06
	168	-	00	06	52
	171	-	00	24	02
	175	-	00	04	43
	172	-	00	00	61
	9	-	00	17	42
	8	-	00	14	32
	19	B	00	09	85
1	2	3	4	5	6
44 - KADODARA	790	-	00	09	47
	791	-	00	01	45
	789	-	00	06	50
	789	P	00	04	10
	681	-	00	08	27
	682	-	00	23	47
	684	B	00	11	62
	683	-	00	00	40
	684	A	00	32	98
	685	-	00	04	60
	673	P/2	00	19	24
	688	-	00	11	01
	671	-	00	10	23
	669	-	00	09	07
	668	-	00	05	60
	665	-	00	01	33
	664	-	00	05	87
	663	-	00	01	25
	662	B	00	16	67
	661	-	00	12	58
	656	-	00	31	35
	612	-	00	00	76
	613	-	00	10	29
	614	-	00	06	61
	615	A	00	00	16
	394	P/2	00	10	59
	608	-	00	12	10
	607	-	00	15	65
	582	-	00	13	00
	605	-	00	17	24
	604	-	00	05	00
	585	-	00	02	04
	599	-	00	05	03
	586	P/1	00	17	62
	586	P/2	00	01	17
	587	-	00	26	98
	588	-	00	01	42
	458	-	00	01	27

1	2	3	4	5	6
44 - KADODARA(Contd.)	457	-	00	17	30
	459	-	00	14	04
	460	-	00	09	25
	455	-	00	00	48
	452	-	00	23	35
	437	-	00	19	05
	436	-	00	03	24
	405	-	00	12	69
	409	-	00	05	95
	408	-	00	27	32
	209	-	00	00	11
	207	-	00	09	42
	206	-	00	13	24
	205	-	00	13	99
	193	-	00	05	30
1	2	3	4	5	6
45 - DAHEJ	1393	-	00	29	61
	1392	-	00	18	06
	1391	-	00	13	50
	1390	-	00	19	23
	1389	-	00	17	38
	1388	-	00	25	45
	1504	-	00	08	82
	1304	-	00	53	43
	1303	-	00	15	67
	1305	-	00	28	10
	1306	-	00	01	44
	1307	-	00	16	38
	1308	-	00	03	28
	1311	-	00	51	02
	1275	-	00	07	95
	1312	-	00	07	48
	1313	-	00	08	45
	1314	-	00	12	21
	1315	-	00	21	11
	1247	-	00	33	09
	1248	-	00	04	85
	1249	-	00	02	36
	1261	A	00	21	68
	1257	P	00	27	39
	1250	-	00	06	57
	1251	-	00	20	21

1	2	3	4	5	6
45 - DAHEJ (Contd.)	945	-	00	00	63
	944	-	00	36	85
	1532	-	00	03	98
	1530	-	00	03	52
	1529	-	00	02	43

[F. No. R-25011/3/2005-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 14 अक्टूबर, 2005

का. आ. 3745.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 11-6-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. संख्या 2068 तारीख 07-06-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में, कोयली से दहेज तक पेट्रोलियम उत्पादों के परिवहन के लिए गुजरात रिफाईनरी इंडियन ऑयल कार्पोरेशन लिमिटेड, वडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचन की प्रतियां सक्षम प्राधिकारी ऑफिस से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है:

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए इंडियन ऑयल कार्पोरेशन लिमिटेड वडोदरा में सभी वित्त्वगमों से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

तालुका : आमोद

जिला : भरुच

राज्य : गुजरात

गाँव का नाम	सर्वेक्षण सं. - खण्ड सं.	उप - खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
23-वासना	83	-	00	15	37
	84	-	00	01	63
	82	-	00	07	92
	81	-	00	02	04
	80	-	00	09	26
	68	-	00	05	52
	67	-	00	00	80
	62	-	00	10	08
	61	P/2	00	05	62
	61	P/1	00	15	49
	57	-	00	10	46
	54	-	00	00	29
	55	-	00	15	57
1	2	3	4	5	6
24-मंजला	41	-	00	18	19
	38	-	00	12	80
	24	-	00	07	06
	23	-	00	07	17
	22	A	00	06	08
	22	B	00	11	17
	11	-	00	14	38
	12	-	00	04	40
	160	-	00	11	19
	159	-	00	45	50
	190	-	00	23	59
	191	-	00	36	92
	195	-	00	12	17
	192	1	00	32	34
	193	1	00	03	49
1	2	3	4	5	6
25-कोबला	123	1	00	55	95
	127	-	00	42	17
	126	-	00	21	78
	148	-	00	18	98
	147	-	00	09	99
	146	-	00	01	88
	145	-	00	29	26
	144	-	00	03	20

1	2	3	4	5	6
25—कोबला(जारी)	189	-	00	12	52
	190	-	00	16	59
	196	-	00	23	17
	192	-	00	16	80
	194	-	00	08	36
	193	1	00	15	21
	292	-	00	21	47
	293	-	00	03	90
1	2	3	4	5	6
26—वेड्या	321	-	00	19	01
	319	-	00	00	06
	320	-	00	16	57
	322	-	00	04	48
	323	-	00	00	07
	324	-	00	15	31
	330	-	00	00	38
	331	-	00	08	93
	332	-	00	06	19
	333	-	00	00	40
1	2	3	4	5	6
27—चकलाद	124	-	00	00	03
	123	-	00	14	94
	122	-	00	02	16
	119	-	00	11	73
	120	-	00	00	25
	118	-	00	13	91
	117	-	00	31	40
	112	-	00	06	42
	115	-	00	11	54
	113	-	00	07	89
	114	-	00	22	83
	85	-	00	13	25
	510	-	00	33	39
	505	-	00	04	65
	504	-	00	00	13
	503	-	00	07	02
	482	-	00	31	92
	476	-	00	04	22
	477	-	00	16	22
	475	-	00	18	29
	474	-	00	18	32
	436	-	00	31	99
	435	-	00	09	50
	434	-	00	21	68
	428	-	00	27	19
	415	-	00	31	54
	413	-	00	17	29

1	2	3	4	5	6
28—अडवाला	182	-	00	41	05
	119	-	00	05	73
	122	-	00	02	39
	123	-	00	08	19
	124	-	00	13	66
	125	-	00	21	76
	102	-	00	13	11
	99	-	00	16	81
	98	P1	00	12	69
	98	P2	00	13	60
	96	-	00	00	66
	93	-	00	13	01
	92	-	00	11	36
	91	-	00	05	40
	89	-	00	06	27
	88	-	00	12	35
	80	-	00	01	97
1	2	3	4	5	6
29—रौघ	267	-	00	00	72
	271	-	00	26	46
	272	-	00	12	07
	273	-	00	15	80
	274	-	00	09	55
	275	-	00	09	89
	276	P1	00	13	74
	276	P2	00	13	77
	277	-	00	11	63
	278	-	00	27	60
	279	B	00	19	58
	280	-	00	46	37
	281	-	00	07	95
1	2	3	4	5	6
30—आमोद(1)	278	2	00	01	91
	278	3	00	23	80
	278	P4	00	00	06
	278	1	00	06	09
	279	2	00	07	66
	279	3	00	06	27
	281	-	00	01	16
	280	-	00	16	95
	284	-	00	02	54
1	2	3	4	5	6
31—भीमपुरा	98	A	00	09	79
	97	-	00	14	41
	96	-	00	12	39
	95	-	00	11	75
	89	-	00	17	08

1	2	3	4	5	6
31—भीमपुरा(जारी)	76	-	00	13	54
	75	-	00	21	83
	74	-	00	14	92
	73	-	00	03	23
	59	-	00	02	22
	57	-	00	15	65
	58	-	00	12	97
	50	-	00	08	12
	49	b	00	13	75
	48	-	00	01	97
	45	-	00	10	90
	44	-	00	03	22
	281	-	00	10	05
	282	-	00	20	86
	320	-	00	00	67
	319	-	00	06	25
	317	-	00	24	46
	316	-	00	10	12
	315	-	00	07	12
	314	-	00	09	29
	313	-	00	17	15
	332	-	00	02	00
	469	-	00	25	85
	467	-	00	07	08
	464	-	00	21	35
	465	-	00	10	03
1	2	3	4	5	6
32—आमोद(2)	9	1	00	16	26
	11	-	00	20	48
	10	P1	00	21	82
	10	3	00	13	23
	383	3	00	16	17
	383	2	00	13	75
	383	1	00	16	32
	385	-	00	17	04
	386	-	00	28	58
	391	-	00	03	33
	392	-	00	19	01
	435	-	00	21	19
	393	-	00	04	21
	434	-	00	21	99
	433	-	00	21	64
	432	-	00	01	02
	411	-	00	15	27
	413	-	00	27	97
	408	-	00	21	62
	407	-	00	40	84

1	2	3	4	5	6
33-आछाद(१)	1596	-	00	00	61
	1595	-	00	15	51
	1591	-	00	04	27
	1592	-	00	00	34
	1594	-	00	05	77
	1593	-	00	04	80
	1563	-	00	45	09
	1565	-	00	07	44
	1566	-	00	04	97
	1585	-	00	01	22
	1570	-	00	00	56
	1555	-	00	00	20
	1554	-	00	05	84
	1552	-	00	08	87
	1551	-	00	06	56
	1573	-	00	17	10
	1574	-	00	01	23
	1576	-	00	13	53
	1575	-	00	01	04
	1633	-	00	15	47
	1632	-	00	07	30
	1631	-	00	04	41
	1634	-	00	02	66
	1635	-	00	02	37
	1636	-	00	03	27
	1637	-	00	09	18
	1638	-	00	10	91
	1640	-	00	21	08
	1639	-	00	07	13
	1641	-	00	01	49
	1642	-	00	09	36
	1334	-	00	14	81
	1332	-	00	04	52
	1331	-	00	04	37
	1316	-	00	04	37
	1312	-	00	05	44
	1313	-	00	25	62
	1314	-	00	00	14
	1308	-	00	00	06
	1282	-	00	29	38
	1283	-	00	14	50
	1284	-	00	00	85
	1285	-	00	16	47
	1286	-	00	00	11
	1290	-	00	05	22
	1289	-	00	03	87

1	2	3	4	5	6
33-आछाद(2)	857	-	00	00	33
	854	-	00	26	51
	855	-	00	04	98
	849	-	00	08	76
	848	-	00	06	75
	847	-	00	03	33
	846	-	00	00	35
	837	-	00	21	25
	836	-	00	00	12
	823	-	00	04	64
	822	-	00	08	57
	806	-	00	10	54
	804	-	00	03	38
	803	-	00	02	00
	801	-	00	02	80
	795	-	00	03	19
	793	-	00	12	38
	790	-	00	00	09
	789	-	00	00	72
	788	-	00	00	89
	766	-	00	00	83
	787	-	00	03	32
	786	-	00	03	11
	785	-	00	02	35
	784	-	00	04	30
	782	-	00	06	63
	781	-	00	05	82
	780	-	00	05	00
	779	-	00	08	50
	778	-	00	09	30
	777	-	00	04	35
	776	-	00	05	07
	774	-	00	09	63
	773	-	00	06	15
	467	-	00	07	25
	466	-	00	10	82
	465	-	00	09	35
	463	-	00	22	89
	462	-	00	05	56
	486	-	00	00	23
	456	-	00	00	92
	460	-	00	08	77
	459	-	00	03	58
	458	-	00	23	37
	408	-	00	04	99
	424	-	00	27	93
	425	-	00	12	41
	423	-	00	08	47

1	2	3	4	5	6
33-आमोद(2)(जारी)	355	-	00	22	92
	321	-	00	08	36
	358	-	00	03	09
	359	-	00	06	39
	316	-	00	07	40
	320	-	00	06	62
	317	-	00	15	28
	315	-	00	08	65
	314	-	00	12	94
	313	-	00	10	95
1	2	3	4	5	6
34-इटीला	165	-	00	06	78
	166	-	00	14	05
	176	-	00	17	50
	177	A	00	00	22
	177	P/2	00	12	09
	178	-	00	07	53
	179	-	00	17	29
	191	-	00	08	94
	190	-	00	01	09
	189	-	00	20	63
	187	-	00	05	67
	207	-	00	02	12
	217	-	00	19	59
	216	-	00	12	12
	210	-	00	11	18
	213	-	00	03	47
	211	-	00	07	87
	212	-	00	12	53
	226	-	00	09	09
	227	-	00	00	22
	272	-	00	15	83
	271	-	00	03	80
	264	-	00	12	22
	277	-	00	06	35
	260	-	00	17	15
	259	-	00	07	26
	403	-	00	08	66
	404	-	00	20	23
	408	-	00	35	99
	409	-	00	05	17
	410	-	00	28	39
1	2	3	4	5	6
35-रोजा टंकारिया(1)	201	1	00	00	94
	201	2	00	00	20
	200	1	00	20	26
	200	2	00	01	19

1	2	3	4	5	6
35-रोजा टंकरीया(1)(जारी)	157	-	00	00	75
	199	-	00	03	83
	159	-	00	08	44
	160	-	00	08	68
	162	-	00	11	90
	163	-	00	00	34
	164	-	00	08	54
	167	-	00	06	32
	165	-	00	06	55
	170	-	00	00	62
	150	A	00	08	91
	149	-	00	27	86
	147	-	00	14	77
	146	-	00	10	87
	145	-	00	13	33
	144	-	00	00	15
	93	-	00	03	16
	105	-	00	11	96
	106	-	00	29	64
	107	-	00	00	47
	108	-	00	08	80
	110	-	00	08	03
	111	-	00	00	93
	112	-	00	05	46
	114	-	00	19	37
	113	-	00	12	23
	119	-	00	07	10
	49	-	00	00	76
	47	-	00	00	11
	25	-	00	40	68
	26	-	00	00	75
	21	-	00	43	63
	11	-	00	00	35
	12	-	00	10	65
	6	-	00	13	22
	7	-	00	09	53
	8	-	00	06	12
1	2	3	4	5	6
35-रोजा टंकरीया(2)	1317	-	00	25	67
	1316	-	00	02	58
	1312	-	00	18	57
	1311	-	00	14	24
1	2	3	4	5	6
35-रोजा टंकरीया(3)	1137	-	00	12	80
	1138	A	00	12	27
	1135	A	00	11	87
	1135	B/1	00	28	43
	1133	-	00	22	68

1	2	3	4	5	6
35-रोजा टंकरीया(3)(जारी)	1131	-	00	10	59
	1000	-	00	08	73
	1001	-	00	21	45
	997	-	00	21	26
	1002	-	00	05	08
	985	-	00	27	04
	984	-	00	06	57
	981	-	00	05	37
	978	-	00	17	74
	977	-	00	37	03
	974	-	00	10	61
	973	-	00	11	34
	972	-	00	17	40
	964	-	00	10	94
	937	-	00	01	09
	938	-	00	13	49
	939	-	00	11	70
	941	-	00	12	58

[फा. सं. आर-25011/3/2005-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 14th October, 2005

S. O. 3745.—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas S.O. 2068 dated 07-06-2005 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule annexed to that notification for the purpose of laying Pipeline for the transportation of Petroleum Product from Koyali to Dahej in the State of Gujarat by the Indian Oil Corporation Limited;

And whereas, the copies of the said gazette notification were made available to the general public from the Dy. Collector & Competent Authority office;

And whereas, the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government has after considering the said report and on being satisfied that said land is required for laying pipeline has decide to acquire the right of user their in.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting the Central Government vests on this date of the publication of this declaration in the Indian oil corporation limited, free from all encumbrances.

SCHEDULE

Taluka: Amod

Dist: Bharuch

State: Gujarat

Name of Village	Survey / Block No.	Sub- Division No.	Area		
			Hectare.	Are	Centiare
1	2	3	4	5	6
23 - VASNA	83	-	00	15	37
	84	-	00	01	63
	82	-	00	07	92
	81	-	00	02	04
	80	-	00	09	26
	68	-	00	05	52
	67	-	00	00	80
	62	-	00	10	08
	61	P/2	00	05	62
	61	P/1	00	15	49
	57	-	00	10	46
	54	-	00	00	29
	55	-	00	15	57
1	2	3	4	5	6
24 - MANJOLA	41	-	00	18	19
	38	-	00	12	80
	24	-	00	07	06
	23	-	00	07	17
	22	A	00	06	08
	22	B	00	11	17
	11	-	00	14	38
	12	-	00	04	40
	160	-	00	11	19
	159	-	00	45	50
	190	-	00	23	59
	191	-	00	36	92
	195	-	00	12	17
	192	1	00	32	34
	193	1	00	03	49
1	2	3	4	5	6
25 - KOBLA	123	1	00	55	95
	127	-	00	42	17
	126	-	00	21	78
	148	-	00	18	98
	147	-	00	09	99
	146	-	00	01	88
	145	-	00	29	26
	144	-	00	03	20

1	2	3	4	5	6
25 - KOBLA (Contd.)	189	-	00	12	52
	190	-	00	16	59
	196	-	00	23	17
	192	-	00	16	80
	194	-	00	08	36
	193	1	00	15	21
	292	-	00	21	47
	293	-	00	03	90
1	2	3	4	5	6
26 - VEDCHA	321	-	00	19	01
	319	-	00	00	06
	320	-	00	16	57
	322	-	00	04	48
	323	-	00	00	07
	324	-	00	15	31
	330	-	00	00	38
	331	-	00	08	93
	332	-	00	06	19
	333	-	00	00	40
1	2	3	4	5	6
27 - CHAKLAD	124	-	00	00	03
	123	-	00	14	94
	122	-	00	02	16
	119	-	00	11	73
	120	-	00	00	25
	118	-	00	13	91
	117	-	00	31	40
	112	-	00	06	42
	115	-	00	11	54
	113	-	00	07	89
	114	-	00	22	83
	85	-	00	13	25
	510	-	00	33	39
	505	-	00	04	65
	504	-	00	00	13
	503	-	00	07	02
	482	-	00	31	92
	476	-	00	04	22
	477	-	00	16	22
	475	-	00	18	29
	474	-	00	18	32
	436	-	00	31	99
	435	-	00	09	50
	434	-	00	21	68
	428	-	00	27	19
	415	-	00	31	54
	413	-	00	17	29

	2	3	4	5	6
28 - ADWALA	182	-	00	41	05
	119	-	00	05	73
	122	-	00	02	39
	123	-	00	08	19
	124	-	00	13	66
	125	-	00	21	76
	102	-	00	13	11
	99	-	00	16	81
	98	P1	00	12	69
	98	P2	00	13	60
	98	-	00	00	66
	93	-	00	13	01
	92	-	00	11	36
	91	-	00	05	40
	89	-	00	06	27
	88	-	00	12	35
	80	-	00	01	97
1	2	3	4	5	6
29 - RONDH	267	-	00	00	72
	271	-	00	26	46
	272	-	00	12	07
	273	-	00	15	80
	274	-	00	09	55
	275	-	00	09	89
	276	P1	00	13	74
	276	P2	00	13	77
	277	-	00	11	63
	278	-	00	27	60
	279	B	00	19	58
	280	-	00	46	37
	281	-	00	07	95
1	2	3	4	5	6
30 - AMOD (1)	278	2	00	01	91
	278	3	00	23	80
	278	P4	00	00	06
	278	1	00	06	09
	279	2	00	07	66
	279	3	00	06	27
	281	-	00	01	16
	280	-	00	16	95
	284	-	00	02	54
1	2	3	4	5	6
31 - BHIMPURA	98	A	00	09	79
	97	-	00	14	41
	96	-	00	12	39
	95	-	00	11	75
	89	-	00	17	08

	2	3	4	5	6
31 - BHIMPLURA(Contd.)	76	-	00	13	54
	75	-	00	21	83
	74	-	00	14	92
	73	-	00	03	23
	59	-	00	02	22
	57	-	00	15	65
	58	-	00	12	97
	50	-	00	08	12
	49	b	00	13	75
	48	-	00	01	97
	45	-	00	10	90
	44	-	00	03	22
	281	-	00	10	05
	282	-	00	20	86
	320	-	00	00	67
	319	-	00	06	25
	317	-	00	24	46
	316	-	00	10	12
	315	-	00	07	12
	314	-	00	09	29
	313	-	00	17	15
	332	-	00	02	00
	469	-	00	25	85
	467	-	00	07	08
	464	-	00	21	35
	465	-	00	10	03
1	2	3	4	5	6
32 - AMOD (2)	9	1	00	16	26
	11	-	00	20	48
	10	P1	00	21	82
	10	3	00	13	23
	383	3	00	16	17
	383	2	00	13	75
	383	1	00	16	32
	385	-	00	17	04
	386	-	00	28	58
	391	-	00	03	33
	392	-	00	19	01
	435	-	00	21	19
	393	-	00	04	21
	434	-	00	21	99
	433	-	00	21	64
	432	-	00	01	02
	411	-	00	15	27
	413	-	00	27	97
	408	-	00	21	62
	407	-	00	40	84

1	2	3	4	5	6
33 - ACHHOD (1)	1596	-	00	00	81
	1595	-	00	15	51
	1591	-	00	04	27
	1592	-	00	00	34
	1594	-	00	05	77
	1593	-	00	04	80
	1563	-	00	45	09
	1565	-	00	07	44
	1566	-	00	04	97
	1585	-	00	01	22
	1570	-	00	00	56
	1555	-	00	00	20
	1554	-	00	05	84
	1552	-	00	08	87
	1551	-	00	06	56
	1573	-	00	17	10
	1574	-	00	01	23
	1576	-	00	13	53
	1575	-	00	01	04
	1633	-	00	15	47
	1632	-	00	07	30
	1631	-	00	04	41
	1634	-	00	02	66
	1635	-	00	02	37
	1636	-	00	03	27
	1637	-	00	09	18
	1638	-	00	10	91
	1640	-	00	21	08
	1639	-	00	07	13
	1641	-	00	01	49
	1642	-	00	09	36
	1334	-	00	14	81
	1332	-	00	04	52
	1331	-	00	04	37
	1316	-	00	04	37
	1312	-	00	05	44
	1313	-	00	25	62
	1314	-	00	00	14
	1308	-	00	00	06
	1282	-	00	29	38
	1283	-	00	14	50
	1284	-	00	00	85
	1285	-	00	16	47
	1286	-	00	00	11
	1290	-	00	05	22
	1289	-	00	03	87

1	2	3	4	5	6
33 - ACHHOD (2)	857	-	00	00	33
	854	-	00	26	51
	855	-	00	04	98
	849	-	00	08	76
	848	-	00	06	75
	847	-	00	03	33
	846	-	00	00	35
	837	-	00	21	25
	836	-	00	00	12
	823	-	00	04	64
	822	-	00	08	57
	806	-	00	10	54
	804	-	00	03	38
	803	-	00	02	00
	801	-	00	02	80
	795	-	00	03	19
	793	-	00	12	38
	790	-	00	00	09
	789	-	00	00	72
	788	-	00	00	89
	766	-	00	00	83
	787	-	00	03	32
	786	-	00	03	11
	785	-	00	02	35
	784	-	00	04	30
	782	-	00	06	63
	781	-	00	05	82
	780	-	00	05	00
	779	-	00	08	50
	778	-	00	09	30
	777	-	00	04	35
	776	-	00	05	07
	774	-	00	09	63
	773	-	00	06	15
	467	-	00	07	25
	466	-	00	10	82
	465	-	00	09	35
	463	-	00	22	89
	462	-	00	05	56
	486	-	00	00	23
	456	-	00	00	92
	460	-	00	08	77
	459	-	00	03	58
	458	-	00	23	37
	408	-	00	04	99
	424	-	00	27	93
	425	-	00	12	41
	423	-	00	08	47

1	2	3	4	5	6
33 - ACHHOD(2)(Contd.)	355	-	00	22	92
	321	-	00	08	36
	358	-	00	03	09
	359	-	00	06	39
	316	-	00	07	40
	320	-	00	06	62
	317	-	00	15	28
	315	-	00	08	65
	314	-	00	12	94
	313	-	00	10	95
1	2	3	4	5	6
34 - INTOLA	165	-	00	06	78
	166	-	00	14	05
	176	-	00	17	50
	177	A	00	00	22
	177	P/2	00	12	09
	178	-	00	07	53
	179	-	00	17	29
	191	-	00	08	94
	190	-	00	01	09
	189	-	00	20	63
	187	-	00	05	67
	207	-	00	02	12
	217	-	00	19	59
	216	-	00	12	12
	210	-	00	11	18
	213	-	00	03	47
	211	-	00	07	87
	212	-	00	12	53
	226	-	00	09	09
	227	-	00	00	22
	272	-	00	15	83
	271	-	00	03	80
	264	-	00	12	22
	277	-	00	06	35
	260	-	00	17	15
	259	-	00	07	26
	403	-	00	08	66
	404	-	00	20	23
	408	-	00	35	99
	409	-	00	05	17
	410	-	00	28	39
1	2	3	4	5	6
35 - ROZA TANKARIYA (1)	201	1	00	00	94
	201	2	00	00	20
	200	1	00	20	26
	200	2	00	01	19

1	2	3	4	5	6
35 - ROZA TANKARIYA (1)(Contd.)	157	-	00	00	75
	199	-	00	03	83
	159	-	00	08	44
	160	-	00	08	68
	162	-	00	11	90
	163	-	00	00	34
	164	-	00	08	54
	167	-	00	06	32
	165	-	00	06	55
	170	-	00	00	62
	150	A	00	08	91
	149	-	00	27	86
	147	-	00	14	77
	146	-	00	10	87
	145	-	00	13	33
	144	-	00	00	15
	93	-	00	03	16
	105	-	00	11	96
	106	-	00	29	64
	107	-	00	00	47
	108	-	00	08	80
	110	-	00	08	03
	111	-	00	00	93
	112	-	00	05	46
	114	-	00	19	37
	113	-	00	12	23
	119	-	00	07	10
	49	-	00	00	76
	47	-	00	00	11
	25	-	00	40	68
	26	-	00	00	75
	21	-	00	43	63
	11	-	00	00	35
	12	-	00	10	65
	6	-	00	13	22
	7	-	00	09	53
	8	-	00	06	12
1	2	3	4	5	6
35 - ROZA TANKARIYA (2)	1317	-	00	25	67
	1316	-	00	02	58
	1312	-	00	18	57
	1311	-	00	14	24
1	2	3	4	5	6
35 - ROZA TANKARIYA (3)	1137	-	00	12	80
	1138	A	00	12	27
	1135	A	00	11	87
	1135	B/1	00	28	43
	1133	-	00	22	68

1	2	3	4	5	6
35 - ROZA	1131	-	00	10	59
TANKARIYA (3)(Contd.)	1000	-	00	08	73
	1001	-	00	21	45
	997	-	00	21	26
	1002	-	00	05	08
	985	-	00	27	04
	984	-	00	06	57
	981	-	00	05	37
	978	-	00	17	74
	977	-	00	37	03
	974	-	00	10	61
	973	-	00	11	34
	972	-	00	17	40
	964	-	00	10	94
	937	-	00	01	09
	938	-	00	13	49
	939	-	00	11	70
	941	-	00	12	58

[F. No. R-25011/3/2005-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 14 अक्टूबर, 2005

का. आ. 3746.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 11-6-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. संख्या 2072 तारीख 07-06-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में, कोयली से दहेज तक पेट्रोलियम उत्पादों के परिवहन के लिए गुजरात रिफाईनरी इंडियन ऑयल कार्पोरेशन लिमिटेड, वडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां सक्षम प्राधिकारी ओफिस से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए इंडियन ऑयल कार्पोरेशन लिमिटेड वडोदरा में सभी वित्तगतों से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

तालुका : करजण

जिला : वडोदरा

राज्य : गुजरात

गाँव का नाम	सर्वेक्षण सं. — खण्ड सं.	उप — खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
20—विरजइ(1)	4	-	00	17	55
	10	-	00	02	57
	11	-	00	07	11
	13	-	00	06	76
	12	-	00	03	93
	17	-	00	17	69
	272	P	00	27	18
	271	P	00	04	25
	274	-	00	03	61
	275	-	00	01	73
	270	B	00	03	44
	290	-	00	15	99
	291	-	00	02	62
	292	A	00	00	29
	289	-	00	11	50
	293	-	00	07	62
	321	-	00	13	96
	318	-	00	09	19
	317	-	00	02	42
	316	-	00	00	97
	319	-	00	11	26
	363	-	00	08	78
	358	-	00	00	45
	359	-	00	10	21
	361	-	00	12	40
	369	-	00	29	09
	375	B/2	00	12	06
	378	P	00	07	88
	433	P1	00	09	37
	433	P	00	09	22
	425	-	00	07	13
1	2	3	4	5	6
20—विरजइ(2)	1466	-	00	05	83
	1463	A	00	13	22
	1464	-	00	26	30
	1459	-	00	10	17
	1475	-	00	05	09
	1455	A	00	00	02
	1458	-	00	10	70
	1455	B	00	16	05
	1456	-	00	02	56
	1454	-	00	00	40

1	2	3	4	5	6
2. विरजड(2)(जारी)	1453	-	00	08	89
	1452	-	00	10	93
	1450	-	00	07	91
	1451	-	00	25	13
	1428	-	00	04	71
	1427	-	00	15	27
	1428	-	00	03	16
	1512	A	00	01	07
	1513	-	00	18	79
	1519	-	00	00	86
	1517	-	00	09	58
	1514	P	00	01	33
	1516	-	00	09	87
	1539	-	00	03	83
	1283	B	00	00	88
	1276	B	00	12	84
	1275	-	00	06	02
	1274	-	00	01	40
	1272	-	00	24	30
	1247	-	00	10	19
	1255	-	00	01	05
	1252	A	00	10	66
	1251	-	00	04	77
	1250	-	00	06	21
	1239	-	00	08	93
	1238	-	00	04	00
	1237	A	00	19	40
	1235	-	00	04	54
	1232	-	00	02	39
	1233	-	00	04	96
	1234	-	00	01	47
	1196	-	00	08	57
	1197	-	00	08	48
	1198	-	00	00	52
	1199	-	00	09	83
	1191	-	00	00	87
	1190	-	00	05	81
	1189	-	00	03	60
	1188	-	00	02	78
	1187	-	00	07	77
	1583	-	00	00	04
	1172	-	00	05	36
	1173	-	00	00	93
	1171	-	00	09	08
	1162	-	00	04	95
	1160	-	00	03	88
	1158	-	00	04	13
	1157	-	00	08	64
	1156	-	00	03	86
	1141	-	00	03	11
	1142	-	00	07	83

1	2	3	4	5	6
26 विरजइ(2)(जारी)	1153	-	00	05	28
	1143	-	00	17	03
	1144	-	00	07	06
	1146	-	00	09	71
	1145	-	00	12	41
	1108	-	00	05	24
	1107	-	00	11	11
	1110	-	00	06	70
	1111	-	00	04	07
	1112	-	00	05	32
	1113	-	00	08	38
	1100	-	00	00	03
	1099	-	00	00	06
	1098	-	00	05	57
	1643	-	00	02	04
	1448	-	00	08	37
	1647	-	00	04	61
	1646	-	00	03	74
	1634	B	00	07	89
	1634	A	00	07	55
	1635	-	00	03	95
1	2	3	4	5	6
22-उमज	105	1/A	00	01	29
	106	3	00	08	18
	106	2	00	05	33
	106	1/B	00	07	36
	106	1/A	00	02	24
	105	1/B	00	01	50
	105	3/P1	00	13	37
	107	-	00	14	69
	105	3	00	01	15
	104	-	00	09	02
	114	4	00	13	96
	175	-	00	15	84
	204	-	00	00	18
	202	-	00	17	42
	203	-	00	09	07
	201	-	00	10	43
	200	2	00	04	33
	200	1	00	02	43
	198	-	00	02	47
	199	-	00	13	33
	194	P1	00	11	22
	194	P2	00	10	82
	193	3	00	03	64
	195	-	00	10	57
	214	-	00	10	06

1	2	3	4	5	6
22-उमज (जारी)	215	2	00	06	03
	215	1	00	00	02
	216	1	00	23	84
	216	2	00	03	42
	218	P1	00	00	06

[फ. सं. आर-25011/3/2005-ओ.आर.-1]

एस. के. चिटकास, अवर सचिव

New Delhi, the 14th October, 2005

S.O. 3746.— Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas S.O. 2072 dated 07-06-2005 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule annexed to that notification for the purpose of laying Pipeline for the transportation of Petroleum Product from Koyali to Dahej in the State of Gujarat by the Indian Oil Corporation Limited;

And whereas, the copies of the said gazette notification were made available to the general public from the Dy. Collector & Competent Authority office;

And whereas, the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government has after considering the said report and on being satisfied that said land is required for laying pipeline has decide to acquire the right of user their in..

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting the Central Government vests on this date of the publication of this declaration in the Indian oil corporation limited, free from all encumbrances.

SCHEDULE

Taluka: Karjan

Dist: Vadodara

State: Gujarat

Name of Village	Survey / Block No.	Sub- Division No.	Area		
			Hectare.	Are	Centiare
1	2	3	4	5	6
20 - VIRJAI (1)	4	-	00	17	55
	10	-	00	02	57
	11	-	00	07	11
	13	-	00	06	76
	12	-	00	03	93
	17	-	00	17	69
	272	P	00	27	18
	271	P	00	04	25
	274	-	00	03	61
	275	-	00	01	73
	270	B	00	03	44
	290	-	00	15	99
	291	-	00	02	62
	292	A	00	00	29
	289	-	00	11	50
	293	-	00	07	62
	321	-	00	13	96
	318	-	00	09	19
	317	-	00	02	42
	316	-	00	00	97
	319	-	00	11	26
	363	-	00	08	78
	358	-	00	00	45
	359	-	00	10	21
	361	-	00	12	40
	369	-	00	29	09
	375	B/2	00	12	06
	378	P	00	07	88
	433	P1	00	09	37
	433	P	00	09	22
	425	-	00	07	13
1	2	3	4	5	6
20 - VIRJAI (2)	1466	-	00	05	83
	1463	A	00	13	22
	1464	-	00	26	30
	1459	-	00	10	17
	1475	-	00	05	09
	1455	A	00	00	02
	1458	-	00	10	70
	1455	B	00	16	05
	1456	-	00	02	56
	1454	-	00	00	40

1	2	3	4	5	6
20 - VJRJA(2)(Contd.)	1453	-	00	08	89
	1452	-	00	10	93
	1450	-	00	07	91
	1451	-	00	25	13
	1429	-	00	04	71
	1427	-	00	15	27
	1428	-	00	03	16
	1512	A	00	01	07
	1513	-	00	18	79
	1519	-	00	00	86
	1517	-	00	09	58
	1514	P	00	01	33
	1516	-	00	09	87
	1539	-	00	03	83
	1283	B	00	00	88
	1276	B	00	12	84
	1275	-	00	06	02
	1274	-	00	01	40
	1272	-	00	24	30
	1247	-	00	10	19
	1255	-	00	01	05
	1252	A	00	10	66
	1251	-	00	04	77
	1250	-	00	06	21
	1239	-	00	08	93
	1238	-	00	04	00
	1237	A	00	19	40
	1235	-	00	04	54
	1232	-	00	02	39
	1233	-	00	04	96
	1234	-	00	01	47
	1196	-	00	08	57
	1197	-	00	08	48
	1198	-	00	00	52
	1199	-	00	09	83
	1191	-	00	00	87
	1190	-	00	05	81
	1189	-	00	03	60
	1188	-	00	02	78
	1187	-	00	07	77
	1583	-	00	00	04
	1172	-	00	05	36
	1173	-	00	00	93
	1171	-	00	09	08
	1162	-	00	04	95
	1160	-	00	03	88
	1158	-	00	04	13
	1157	-	00	08	64
	1156	-	00	03	86
	1141	-	00	03	11
	1142	-	00	07	83

1.	2	3	4	5	6
20 - VIRJAI(2)(Contd.)	1153	-	00	05	28
	1143	-	00	17	03
	1144	-	00	07	06
	1146	-	00	09	71
	1145	-	00	12	41
	1108	-	00	05	24
	1107	-	00	11	11
	1110	-	00	06	70
	1111	-	00	04	07
	1112	-	00	05	32
	1113	-	00	08	38
	1100	-	00	00	03
	1099	-	00	00	06
	1098	-	00	05	57
	1643	-	00	02	04
	1448	-	00	08	37
	1647	-	00	04	61
	1646	-	00	03	74
	1634	B	00	07	89
	1634	A	00	07	55
	1635	-	00	03	95
1	2	3	4	5	6
22 - UMAJ	105	1/A	00	01	29
	106	3	00	08	18
	106	2	00	05	33
	106	1/B	00	07	36
	106	1/A	00	02	24
	105	1/B	00	01	50
	105	3/P1	00	13	37
	107	-	00	14	69
	105	3	00	01	15
	104	-	00	09	02
	114	4	00	13	96
	175	-	00	15	84
	204	-	00	00	18
	202	-	00	17	42
	203	-	00	09	07
	201	-	00	10	43
	200	2	00	04	33
	200	1	00	02	43
	198	-	00	02	47
	199	-	00	13	33
	194	P1	00	11	22
	194	P2	00	10	82
	193	3	00	03	64
	195	-	00	10	57
	214	-	00	10	06

1	2	3	4	5	6
22 - U MAJ(Contd.)	215	2	00	06	03
	215	1	00	00	02
	216	1	00	23	84
	216	2	00	03	42
	218	P1	00	00	06

[F. No. R-25011/3/2005-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 14 अक्टूबर, 2005

क्र. अ. 3747.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 11-6-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. संख्या 2071 तारीख 07-06-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में, कोयली से दहेज तक पेट्रोलियम उत्पादों के परिवहन के लिए गुजरात रिफाईनरी इंडियन ऑयल कॉर्पोरेशन लिमिटेड, वडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचन की प्रतियां सक्षम प्राधिकारी ऑफिस से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए इंडियन ऑयल कॉर्पोरेशन लिमिटेड वडोदरा में सभी वित्तीयगमों से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

तालुका : पादरा

जिला : वडोदरा

राज्य : गुजरात

गाँव का नाम	सर्वेक्षण सं. — खण्ड सं.	उप — खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
8—जासपुर	371	-	00	06	35
	385	-	00	16	97
	388	-	00	11	05
	387	-	00	13	35
	390	-	00	08	37
	391	-	00	09	54
	400	-	00	12	17
	404	-	00	10	53
	405	-	00	14	82
	414	-	00	07	45
	409	P1	00	11	47
	410	-	00	11	28
	411	A/2P1	00	11	78
	411	B/1/P1	00	09	08
1	2	3	4	5	6
9—पादरा(1)	1095	-	00	09	28
	1098	1	00	13	75
	1097	1	00	13	97
	1100	-	00	12	20
1	2	3	4	5	6
9—पादरा(2)	1064	-	00	09	00
	1064	2	00	08	79
	1063	-	00	20	53
	1062	-	00	07	83
	1061	-	00	04	56
	1060	-	00	00	32
	1059	1	00	00	73
	1059	-	00	00	10
	1058	1	00	00	41
	1053	1	00	02	83
	1052	-	00	09	44
	1050	1	00	06	85
	1049	P	00	11	51
	1048	1	00	25	07
	944	1	00	10	11
	945	-	00	26	73
	950	-	00	17	57
	952	-	00	17	82

1	2	3	4	5	6
9-पादरा(2)(जारी)	938	1	00	22	49
	937	1	00	00	50
	929	-	00	01	07
	930	1	00	06	30
	930	2	00	05	27
	833	P	00	06	36
1	2	3	4	5	6
9-पादरा(3)	832	1	00	23	40
	829	2	00	12	45
	827	P1	00	16	57
	827	P2	00	13	53
	771	-	00	06	50
	755	-	00	15	60
	762	-	00	13	54
	758	-	00	08	20
	761	1	00	03	65
	761	2	00	12	58
	760	-	00	17	58
	642	-	00	18	80
	645	-	00	26	43
	651	-	00	32	74
1	2	3	4	5	6
9-पादरा(4)	522	P3	00	17	05
	522	P1	00	17	21
	522	P2	00	06	89
	516	-	00	13	92
	514	-	00	13	63
	512	2	00	00	22
	513	-	00	09	89
	469	1	00	06	01
	469	2	00	19	47
	470	-	00	18	13
	471	-	00	08	35
	472	-	00	09	02
	473	-	00	04	19
	461	1	00	03	65
1	2	3	4	5	6
10-ताजपुरा	36	-	00	00	85
	15	-	00	04	61
	14	-	00	06	22
	13	-	00	17	43
	11	-	00	04	04
	10	-	00	04	02
	9	-	00	04	87
	8	-	00	04	88
	7	-	00	07	18
	6	-	00	06	19
	5	A	00	19	06

1	2	3	4	5	6
11-लतीपुरा	516	-	00	11	56
	517	-	00	17	06
	498	-	00	20	06
	497	-	00	00	46
	496	-	00	16	60
	538	-	00	07	67
	537	-	00	00	98
	539	-	00	08	98
	536	-	00	05	06
	541	-	00	01	04
	542	-	00	12	02
	487	P1	00	24	28
	484	P1	00	09	81
	477	-	00	00	87
	480	-	00	14	20
	479	-	00	08	09
	478	-	00	06	85
	449	-	00	02	22
	396	P1	00	09	18
	398	-	00	14	02
	399	P1	00	23	44
	400	-	00	04	94
	395	P1P	00	05	17
	394	A	00	14	30
	393	A	00	05	53
	393	B	00	18	72
	392	-	00	08	66
	120	-	00	00	02
	121	-	00	21	10
	122	-	00	00	82
	373	-	00	09	59
	568	-	00	07	59
	371	-	00	10	98
	369	-	00	02	52
	370	-	00	00	85
	569	-	00	09	25
	368	-	00	05	97
	365	-	00	09	39
	345	-	00	10	60
	346	-	00	00	05
	361	-	00	23	92
	354	-	00	00	90
	357	-	00	01	99
	356	-	00	15	86
	355	-	00	02	67
	276	-	00	00	32
	280	-	00	17	29
	281	-	00	05	97
	279	-	00	01	22
	283	-	00	19	97

1	2	3	4	5	6
12—पिपली	125	-	00	10	06
	126	-	00	13	84
	127	-	00	06	85
	128	-	00	07	50
	131	P1	00	04	28
	132	A/P1	00	00	05
	143	P1	00	00	33
	142	P1	00	21	19
	141	-	00	10	76
	146	P	00	14	34
	145	-	00	08	66
	152	-	00	05	77
	153	-	00	09	53
	186	B/P1	00	02	25
	186	A	00	02	37
	184	A	00	18	62
	183	A/P1	00	08	59
	182	-	00	02	27
	179	-	00	05	18
	180	-	00	18	99
	232	-	00	18	81
	240	-	00	39	48
	241	-	00	00	40
	278	-	00	04	19
	277	-	00	13	98
	282	-	00	02	92
	275	-	00	08	25
	274	-	00	09	76
	290	-	00	14	19
	289	-	00	10	72
	291	-	00	07	18
	293	-	00	07	02
	292	-	00	10	52
	296	-	00	02	51
	295	A	00	16	76
	317	-	00	09	86
	490	-	00	01	94
	318	-	00	12	14
1	2	3	4	5	6
13—साघी	2211	-	00	07	02
	2216	-	00	17	35
	2219	-	00	20	87
	2228	-	00	00	67
	2223	-	00	06	46
	2227	-	00	02	09
	2224	-	00	12	85
	2225	-	00	04	27
	2142	-	00	13	21
	2093	-	00	00	30
	2141	-	00	00	60

1	2	3	4	5	6
13—साधी(जारी)	2094	-	00	16	01
	2089	-	00	01	16
	2088	-	00	10	20
	2114	-	00	01	61
	2083	-	00	10	83
	2085	-	00	07	13
	2084	-	00	05	29
	2048	-	00	09	21
	2049	-	00	01	73
	2050	-	00	03	71
	2046	-	00	00	49
	2051	-	00	22	51
	2054	-	00	07	66
	2475	-	00	13	09
	2063	-	00	00	07
	2062	-	00	07	01
	2057	-	00	10	49
	2058	-	00	03	36
	2059	-	00	01	77
	2038	-	00	12	95
	2036	-	00	00	64
	2035	-	00	13	88
	2030	-	00	00	47
1	2	3	4	5	6
14—आंती(?)	1369	-	00	25	40
	1371	-	00	01	06
	1373	-	00	16	98
	1387	-	00	00	92
	1388	-	00	05	95
	1389	-	00	10	68
	1390	-	00	14	52
	1391	-	00	03	34
	1248	A	00	00	52
	1247	A	00	07	00
	1246	A	00	07	41
	1245	A	00	07	65
	1244	A	00	07	46
	1242	-	00	11	03
	1243	-	00	09	35
	927	-	00	04	24
	928	-	00	09	76
	929	-	00	00	36
	931	-	00	12	07
	932	-	00	06	06
	936	-	00	10	32
	937	-	00	00	37
	935	-	00	10	90
	933	-	00	07	61
	934	-	00	02	22

1	2	3	4	5	6
14-आली(2)	860	-	00	05	92
	859	-	00	24	30
	858	-	00	06	56
	846	-	00	17	74
	851	P1	00	14	37
	850	-	00	08	46
	849	P1	00	15	83
	703	P1	00	02	44
	709	P1	00	02	57
	708	P1	00	04	33
	707	P1	00	04	67
	706	P1	00	11	59
	705	P1	00	12	81
	693	P1	00	02	36
	692	-	00	30	53
	713	-	00	02	09
	691	-	00	00	04
	516	P1	00	01	59
	517	-	00	23	92
	521	-	00	06	43
	608	-	00	03	20
	607	-	00	03	02
	606	-	00	12	12
	605	-	00	17	37
	597	-	00	27	16
	603	-	00	04	74
	599	-	00	03	58
	598	-	00	12	74
	595	-	00	16	88
	594	P	00	12	16
	584	-	00	11	93
	586	-	00	10	45
	585	-	00	09	84
	553	-	00	08	32
	554	-	00	02	43
	555	-	00	00	42
	578	-	00	08	21
	560	-	00	02	49
	561	-	00	08	21
	562	-	00	17	12
	563	-	00	05	59
1	2	3	4	5	6
15-भदारा	241		00	23	36
	240		00	00	53
1	2	3	4	5	6
16-अबाडा(1)	328		00	07	35
	329	P1	00	25	89

1	2	3	4	5	6
16—अबाडा(2)	330	-	00	02	00
	331	-	00	15	55
	383	-	00	23	48
	382	-	00	25	04
	388	-	00	33	40
	419	-	00	01	13
	418	-	00	07	68
	429	A	00	06	52
	430	-	00	06	52
	431	-	00	23	69
	444	A	00	11	09
	443	-	00	02	82
	455	-	00	15	74
	454	-	00	00	27
	456	-	00	20	44
	458	-	00	00	78
	459	-	00	04	32
	460	-	00	10	12
	461	-	00	07	34
	462	-	00	10	99
	476	-	00	11	04
	517	-	00	15	89
	516	-	00	10	82
	515	-	00	14	54
	501	-	00	09	35
1	2	3	4	5	6
17—गयापुरा	81	-	00	66	95
	82	-	00	02	33
	84	-	00	00	75
	83	-	00	18	42
	50	-	00	06	47
	49	-	00	24	43
	49	P	00	07	75
	47	-	00	00	98
	36	-	00	29	68
	46	-	00	24	02
1	2	3	4	5	6
18—ठीकरीया	49	-	00	01	32
	48	-	00	04	85
	47	-	00	05	93
	46	-	00	10	05
	45	-	00	18	84
	44	-	00	05	17
	43	-	00	00	33
1	2	3	4	5	6
19—कादा	350	-	00	08	74
	348	-	00	03	58
	358	-	00	14	37

1	2	3	4	5	6
19-कांदा(जारी)	357	-	00	12	82
	355	-	00	10	63
	45	-	00	18	67
1	2	3	4	5	6
21-सोखडा राधु	50	-	00	00	75
	51	-	00	02	17
	52	-	00	03	31
	53	-	00	03	63
	55	-	00	04	34
	56	-	00	09	34
	57	-	00	00	85
	58	-	00	33	40
	78	-	00	03	47
	77	-	00	14	00
	84	-	00	08	50
	90	-	00	14	28
	89	-	00	05	06
	87	-	00	03	72
	88	-	00	18	42
	101	-	00	34	00
	102	-	00	03	38
	103	-	00	12	03
	114	-	00	00	60
	157	-	00	15	39
	118	-	00	00	67
	116	-	00	11	45
	121	-	00	03	30
	120	-	00	14	86
	125	-	00	12	43
	126	-	00	06	75
	148	-	00	13	25
	164	-	00	37	75
	165	-	00	14	46
	252	-	00	17	05
	251	-	00	00	60
	250	-	00	09	50
	249	-	00	07	62
	248	-	00	04	41
	244	-	00	07	34
	267	-	00	05	71
	268	-	00	11	03
	273	A	00	10	91
	273	B	00	11	45
	271	-	00	07	29
	270	-	00	01	30
	272	-	00	01	20
	293	-	00	06	09
	292	B	00	17	98
	292	A	00	17	14

1	2	3	4	5	6
21-सोवडागांव(जारी)	291	-	00	01	49
	288	-	00	17	28
	287	-	00	00	09

[फा. सं. आर-25011/3/2005-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 14th October, 2005

S.O. 3747.—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas S.O. 2071 dated 07-06-2005 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule annexed to that notification for the purpose of laying Pipeline for the transportation of Petroleum Product from Koyali to Dahej in the State of Gujarat by the Indian Oil Corporation Limited;

And whereas, the copies of the said gazette notification were made available to the general public from the Dy. Collector & Competent Authority office;

And whereas, the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government has after considering the said report and on being satisfied that said land is required for laying pipeline has decide to acquire the right of user their in.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting the Central Government vests on this date of the publication of this declaration in the Indian oil corporation limited, free from all encumbrances.

SCHEDULE

Taluka: Padra

Dist: Vadodara

State: Gujarat

Name of Village	Survey/ Block No.	Sub- Division No.	Area		
			Hectare.	Are	Centiare
1	2	3	4	5	6
8 - JASPUR	371	-	00	06	35
	385	-	00	16	97
	388	-	00	11	05
	387	-	00	13	35
	390	-	00	08	37
	391	-	00	09	54
	400	-	00	12	17
	404	-	00	10	53
	405	-	00	14	82
	414	-	00	07	45
	409	P1	00	11	47
	410	-	00	11	28
	411	A/2P1	00	11	78
	411	B/1/P1	00	09	08
1	2	3	4	5	6
9 - PADRA (1)	1095	-	00	09	28
	1098	1	00	13	75
	1097	1	00	13	97
	1100	-	00	12	20
1	2	3	4	5	6
9 - PADRA (2)	1064	-	00	09	00
	1064	2	00	08	79
	1063	-	00	20	53
	1062	-	00	07	83
	1061	-	00	04	56
	1060	-	00	00	32
	1059	1	00	00	73
	1059	-	00	00	10
	1058	1	00	00	41
	1053	1	00	02	83
	1052	-	00	09	44
	1050	1	00	06	85
	1049	P	00	11	51
	1048	1	00	25	07
	944	1	00	10	11
	945	-	00	26	73
	950	-	00	17	57
	952	-	00	17	82

	2	3	4	5	6
9 - PADRA (2)(Contd.)	938	1	00	22	49
	937	1	00	00	50
	929	-	00	01	07
	930	1	00	06	30
	930	2	00	05	27
	833	P	00	06	36
1	2	3	4	5	6
9 - PADRA (3)	832	1	00	23	40
	829	2	00	12	45
	827	P1	00	16	57
	827	P2	00	13	53
	771	-	00	06	50
	755	-	00	15	60
	762	-	00	13	54
	758	-	00	08	20
	761	1	00	03	65
	761	2	00	12	58
	760	-	00	17	58
	642	-	00	18	80
	645	-	00	26	43
	651	-	00	32	74
1	2	3	4	5	6
9 - PADRA (4)	522	P3	00	17	05
	522	P1	00	17	21
	522	P2	00	06	89
	516	-	00	13	92
	514	-	00	13	63
	512	2	00	00	22
	513	-	00	09	89
	469	1	00	06	01
	469	2	00	19	47
	470	-	00	18	13
	471	-	00	08	35
	472	-	00	09	02
	473	-	00	04	19
	461	1	00	03	65
1	2	3	4	5	6
1G - TAJPURA	36	-	00	00	85
	15	-	00	04	61
	14	-	00	06	22
	13	-	00	17	43
	11	-	00	04	04
	10	-	00	04	02
	9	-	00	04	87
	8	-	00	04	88
	7	-	00	07	18
	6	-	00	06	19
	5	A	00	19	06

1	2	3	4	5	6
11 - LATIPURA	516	-	00	11	58
	517	-	00	17	06
	498	-	00	20	06
	497	-	00	00	46
	496	-	00	16	60
	538	-	00	07	67
	537	-	00	00	98
	539	-	00	08	98
	536	-	00	05	06
	541	-	00	01	04
	542	-	00	12	02
	487	P1	00	24	28
	484	P1	00	09	81
	477	-	00	00	87
	480	-	00	14	20
	479	-	00	08	09
	478	-	00	06	85
	449	-	00	02	22
	396	P1	00	09	18
	398	-	00	14	02
	399	P1	00	23	44
	400	-	00	04	94
	395	P1P	00	05	17
	394	A	00	14	30
	393	A	00	05	53
	393	B	00	18	72
	392	-	00	08	66
	120	-	00	00	02
	121	-	00	21	10
	122	-	00	00	82
	373	-	00	09	59
	568	-	00	07	59
	371	-	00	10	98
	369	-	00	02	52
	370	-	00	00	85
	569	-	00	09	25
	368	-	00	05	97
	365	-	00	09	39
	345	-	00	10	60
	346	-	00	00	05
	361	-	00	23	92
	354	-	00	00	90
	357	-	00	01	99
	356	-	00	15	86
	355	-	00	02	67
	276	-	00	00	32
	280	-	00	17	29
	281	-	00	05	97
	279	-	00	01	22
	283	-	00	19	97

1	2	3	4	5	6
12 - PIPL	125	-	00	10	06
	126	-	00	13	84
	127	-	00	06	85
	128	-	00	07	50
	131	P1	00	04	28
	132	A/P1	00	00	05
	143	P1	00	00	33
	142	P1	00	21	19
	141	-	00	10	76
	146	P	00	14	34
	145	-	00	08	66
	152	-	00	05	77
	153	-	00	09	53
	186	B/P1	00	02	25
	186	A	00	02	37
	184	A	00	18	62
	183	A/P1	00	08	59
	182	-	00	02	27
	179	-	00	05	18
	180	-	00	18	99
	232	-	00	18	81
	240	-	00	39	48
	241	-	00	00	40
	278	-	00	04	19
	277	-	00	13	98
	282	-	00	02	92
	275	-	00	08	25
	274	-	00	09	76
	290	-	00	14	19
	289	-	00	10	72
	291	-	00	07	18
	293	-	00	07	02
	292	-	00	10	52
	296	-	00	02	51
	295	A	00	16	76
	317	-	00	09	86
	490	-	00	01	94
	318	-	00	12	14
1	2	3	4	5	6
13 - SADH	2211	-	00	07	02
	2216	-	00	17	35
	2219	-	00	20	87
	2228	-	00	00	67
	2223	-	00	06	46
	2227	-	00	02	09
	2224	-	00	12	85
	2225	-	00	04	27
	2142	-	00	13	21
	2093	-	00	00	30
	2141	-	00	00	60

1	2	3	4	5	6
13 - SADHI(Contd.)	2094	-	00	16	01
	2089	-	00	01	16
	2088	-	00	10	20
	2114	-	00	01	61
	2083	-	00	10	83
	2085	-	00	07	13
	2084	-	00	05	29
	2048	-	00	09	21
	2049	-	00	01	73
	2050	-	00	03	71
	2046	-	00	00	49
	2051	-	00	22	51
	2054	-	00	07	66
	2475	-	00	13	09
	2063	-	00	00	07
	2062	-	00	07	01
	2057	-	00	10	49
	2058	-	00	03	36
	2059	-	00	01	77
	2038	-	00	12	95
	2036	-	00	00	64
	2035	-	00	13	88
	2030	-	00	00	47
1	2	3	4	5	6
14 - AANTI (1)	1369	-	00	25	40
	1371	-	00	01	06
	1373	-	00	16	98
	1387	-	00	00	92
	1388	-	00	05	95
	1389	-	00	10	68
	1390	-	00	14	52
	1391	-	00	03	34
	1248	A	00	00	52
	1247	A	00	07	00
	1246	A	00	07	41
	1245	A	00	07	65
	1244	A	00	07	46
	1242	-	00	11	03
	1243	-	00	09	35
	927	-	00	04	24
	928	-	00	09	76
	929	-	00	00	36
	931	-	00	12	07
	932	-	00	06	06
	936	-	00	10	32
	937	-	00	00	37
	935	-	00	10	90
	933	-	00	07	61
	934	-	00	02	22

1	2	3	4	5	6
14 - AANTI (2)	860	-	00	05	92
	859	-	00	24	30
	858	-	00	06	56
	846	-	00	17	74
	851	P1	00	14	37
	850	-	00	08	46
	849	P1	00	15	83
	703	P1	00	02	44
	709	P1	00	02	57
	708	P1	00	04	33
	707	P1	00	04	67
	706	P1	00	11	59
	705	P1	00	12	81
	693	P1	00	02	36
	692	-	00	30	53
	713	-	00	02	09
	691	-	00	00	04
	516	P1	00	01	59
	517	-	00	23	92
	521	-	00	06	43
	608	-	00	03	20
	607	-	00	03	02
	606	-	00	12	12
	605	-	00	17	37
	597	-	00	27	16
	603	-	00	04	74
	599	-	00	03	58
	598	-	00	12	74
	595	-	00	16	88
	594	P	00	12	16
	584	-	00	11	93
	586	-	00	10	45
	585	-	00	09	84
	553	-	00	08	32
	554	-	00	02	43
	555	-	00	00	42
	578	-	00	08	21
	560	-	00	02	49
	561	-	00	08	21
	562	-	00	17	12
	563	-	00	05	59
1	2	3	4	5	6
15 - BHADARA	241	-	00	23	36
	240	-	00	00	53
1	2	3	4	5	6
16 - AMBADA (1)	328	-	00	07	35
	329	P1	00	25	89

1	2	3	4	5	6
16 - AMBADA (2)	330	-	00	02	00
	331	-	00	15	55
	383	-	00	23	48
	382	-	00	25	04
	388	-	00	33	40
	419	-	00	01	13
	418	-	00	07	68
	429	A	00	06	52
	430	-	00	06	52
	431	-	00	23	69
	444	A	00	11	09
	443	-	00	02	82
	455	-	00	15	74
	454	-	00	00	27
	456	-	00	20	44
	458	-	00	00	78
	459	-	00	04	32
	460	-	00	10	12
	461	-	00	07	34
	462	-	00	10	99
	476	-	00	11	04
	517	-	00	15	89
	516	-	00	10	82
	515	-	00	14	54
	501	-	00	09	35
17 - GAYAPUR	81	-	00	66	95
	82	-	00	02	33
	84	-	00	00	75
	83	-	00	18	42
	50	-	00	06	47
	49	-	00	24	43
	49	P	00	07	75
	47	-	00	00	98
	36	-	00	29	68
	46	-	00	24	02
18 - THIKARIYA	49	-	00	01	32
	48	-	00	04	85
	47	-	00	05	93
	46	-	00	10	05
	45	-	00	18	84
	44	-	00	05	17
	43	-	00	00	33
19 - KANDA	350	-	00	08	74
	348	-	00	03	58
	358	-	00	14	37
	357	-	00	12	82
	355	-	00	10	63
	45	-	00	18	67
21-SOKHADA RAGHU	50	-	00	00	75
	51	-	00	02	17
	52	-	00	03	31
	53	-	00	03	63

	2	3	4	5	6
21-BOROHADA RAGHU (Contd.)	55	-	00	04	34
	56	-	00	09	34
	57	-	00	00	85
	58	-	00	33	40
	78	-	00	03	47
	77	-	00	14	00
	84	-	00	08	50
	90	-	00	14	28
	89	-	00	05	06
	87	-	00	03	72
	88	-	00	18	42
	101	-	00	34	00
	102	-	00	03	38
	103	-	00	12	03
	114	-	00	00	60
	157	-	00	15	39
	118	-	00	00	67
	116	-	00	11	45
	121	-	00	03	30
	120	-	00	14	86
	125	-	00	12	43
	126	-	00	06	75
	148	-	00	13	25
	164	-	00	37	75
	165	-	00	14	46
	252	-	00	17	05
	251	-	00	00	60
	250	-	00	09	50
	249	-	00	07	62
	248	-	00	04	41
	244	-	00	07	34
	267	-	00	05	71
	268	-	00	11	03
	273	A	00	10	91
	273	B	00	11	45
	271	-	00	07	29
	270	-	00	01	30
	272	-	00	01	20
	293	-	00	06	09
	292	B	00	17	98
	292	A	00	17	14
	291	-	00	01	49
	288	-	00	17	28
	287	-	00	00	09

[F. No. R-25011/3/2005-O.R.-I]
S. K. CHITKARA, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 19 सितम्बर, 2005

का. आ. 3748.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार साउथ इंडियन बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, पालक्काड के पंचाट [संदर्भ संख्या आई डी-94/2003 (सी)] को प्रकटित करती है, जो केन्द्रीय सरकार को 19-9-2005 को प्राप्त हुआ था।

[सं. एल-12012/350/2002-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 19th September, 2005

S.O. 3748.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I. D. 94/2003 (C)) of the Industrial Tribunal, Palakkad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of South Indian Bank and their workman, which was received by the Central Government on 19-9-2005.

[No. L-12012/350/2002-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE**IN THE COURT OF INDUSTRIAL TRIBUNAL,
PALAKKAD**

(Wednesday, the 31st August, 2005/9th Bhadra 1927)

Present

Shri B. RANJIT KUMAR
Industrial Tribunal

Industrial Dispute No. 94/2003(C)

Between

The Chairman, South Indian Bank, Head Office,
T.B. Road, Mission Quarters, Trichur-680001.

(By Adv. M. Venugopalan)

And

Sri V. Sasikumar, Vakayil House, Kannambra P.O.
Palakkad.

(By Adv. M.V. Gopalakrishnan)

AWARD

The Government of India, Ministry of Labour, as per Order No. L-12012/350/2002-IR (B-1) dated 27-1-2003 referred for adjudication the issue as to the justifiability of the dismissal of Sri. V. Sasikumaran, Peon w.e.f. 4-7-2001 by the Management of South Indian Bank Ltd.

2. In the original reference order dated 27-1-2003, the name of the adjudicator was wrongly stated as Labour

Court, Palakkad and this mistake was rectified by issuing a corrigendum notification dated 6-8-2003 whereby the name of adjudicator was replaced with Industrial Tribunal, Palakkad.

3. The workman would submit in his claim statement dated 8-12-2003 that he had rendered 18 years services under the management bank without any complaint and for the first time, the management levelled certain allegations and dismissed him from service after conducting a domestic enquiry, which according to him, was in violation of the principles of natural justice and with preconceived notions. It is further submitted by him that the disciplinary action was the result of trade union rivalry, that the Enquiry officer did not consider the oral and documentary evidence in the right perspective and that the findings of the Enquiry Officer and the appellate authority were based on surmises and conjectures. He would further submit that the important documents produced by him to prove the allegations and to prove the non-existence of them were not considered by the authorities and even the crucial and important aspects brought out in cross-examination of witnesses were also not appreciated by the disciplinary authorities. According to workman, the enquiry was conducted in most prejudicial manner and the punishment meted out to him is excessive and that the disciplinary authority, board of directors and the appellate authority acted without any rationale. He would further submit that another employee, one M. V. Chacko against whom similar allegations were raised continues in the service of the management and the punishment of dismissal meted out to him is by way of victimisation.

4. The management has filed a written statement dated 18-3-2004 refuting the above averments of the union and contending inter alia that there is only one union functioning in the management bank and there can be no trade union rivalry. According to management, the workman herein was charged earlier as per Memo dated 12-11-1992 for misbehaving with the manager of the branch where he was working. The management would further submit that the Enquiry Officer was quite impartial and the enquiry held was quite fair and proper, fully complying with law and principles of natural justice. According to management, the Enquiry Officer considered all the oral and documentary evidence adduced in the enquiry and his findings are based on the said evidence which were not at all perverse. The management would further submit that in the enquiry, the workman was represented by his union-representative and the fact that the union did not raise any dispute against the dismissal of the workman would show that even the union was satisfied with the legality, impartiality and fairness of the enquiry. According to management, the disciplinary authority, the appellate authority and the Board of Directors fully considered in detail all aspects relating to

the issue before arriving at their respective decisions. The punishment awarded to the workman was quite in conformity with the gravity of the misconducts established and there is no element of victimisation involved in the case. According to the management, the finding of guilt and the award of punishment are just and proper.

5. The management has produced the enquiry files and the same were marked as Ext. M1 and M1 (a). Ext. M1 file contains enquiry proceedings, report and other subsequent documents and Ext. M1 (a) contains the exhibits marked on the side of management as well as the workman.

6. Apart from urging certain general allegations and objections, the workman has not pointed out any specific procedural defect, illegality or irregularity in conducting the domestic enquiry. A perusal of Ext. M1 file shows that he participated in the enquiry throughout and cross-examined the management-witnesses elaborately and effectively with the assistance of his union-representative. He has also adduced his defence evidence and on completion of the evidence he has filed written submission with the Enquiry Officer. He has not raised any procedural impropriety in this written submissions. In the reply dated 11-6-2001 submitted by the workman to the second showcause notice also, he has not raised any objections either against the Enquiry Officer or against the procedure adopted by him in conducting the domestic enquiry.

7. In the light of the foregoing discussion, I hold that there is no procedural defect in conducting the domestic enquiry against the workman.

8. The next point to be considered is whether the findings of the Enquiry Officer are correct. The charges levelled against the workman vide chargesheet dated 3-10-2000 are as follows :—

- “ 1. That you, on 12-8-1999 with the apparent intention of deceiving and defrauding the bank approached the Bazar branch of the Bank for availing gold loan by pledging gold ornaments which were found to be of spurious nature on conducting acid test by the Addl. Manager of the Branch.
2. That you on 16-7-1999 taking advantage of your official position as sub-staff of the Secretarial department, Head office, Trichur prevailed upon the manager of the mission Quarters Branch of the Bank from checking the gold ornaments with the apparent intention of deceiving and defrauding the Bank and availed gold loan from the Branch as G.L. No. 45/99-2000 for Rs. 7000 by pledging gold ornaments consisting 5 bangles which were found to be spurious in nature on inspection conducted by officials after the alleged acts of misconduct as detailed in charge

No. 1 was detected. Thus you defrauded the bank.

The aforesaid acts alleged to have been committed by you amount to deceiving and defrauding the bank, violation of HO instruction and acts prejudicial to the interest of the bank.”

9. The management has examined four witnesses and produced the relevant documents in the domestic enquiry to substantiate the above charges against the workman. The Enquiry Officer has meticulously analysed the entire evidence adduced by either side. He has given cogent reasons for accepting the evidence of the management and rejecting the evidence of the workman.

10. The main defence of the workman in the enquiry was that the gold ornaments which he had brought to the bank were given to him by one Radhakrishnan and he was not aware that the same were spurious. It has come out in evidence that he had pledged 12 items of spurious gold ornaments with South Indian Bank Staff Co-operative Credit Society and availed of loan in his capacity as member of the said Society. He had also introduced the said Radhakrishnan to the management-bank and the latter had pledged gold ornaments with the bank on several occasions. The delinquent workman himself had pledged several items of gold ornaments with the management-bank. It is therefore clear that the workman was in the habit of pledging gold ornaments and it cannot be believed that he was not able to identify spurious gold. Ext. DEX-3, 4 and 5 produced by the workman in the domestic enquiry itself would show that Sri Ramakrishnan had given several items of spurious gold to the workman and he had availed of loan by pledging the same not only with the management bank, but also with the South Indian Bank Staff Co-operative Credit Society which is a Society of the employees of management bank.

11. The further defence of the workman is that on 12-8-1989, he himself suggested the Branch Manager to test the gold which he had given for availing loan and his conduct in this regard would show that he was loyal and sincere. He had brought the gold items on all occasions pretending that the same belonged to him. As per the rules of the management-bank, gold loan would be sanctioned only against the gold owned by the loanee. The loanee has to give a declaration to that effect. The delinquent workman has given such declaration and only when he was caught redhanded on 12-8-1999, he disclosed that the gold he had pledged belonged to Radhakrishnan. There can be no doubt that his suggestion to test the gold items on 12-8-99 in that context was only to pretend that he was not aware that the said items were spurious. Therefore, it cannot be held that his conduct in this regard would show that he was innocent.

12. The Enquiry Officer has considered the aforesaid aspects and analysed the entire evidence judiciously and come to the correct finding that the workman is guilty of the charges. In the circumstance, it cannot be held that the findings of the Enquiry Officer are perverse.

13. The next point to be considered is regarding the proportionality of the punishment of dismissal meted out to the workman.

14. The learned counsel for the workman submitted that the extreme punishment of dismissal is excessive. I am of the considered opinion that pledging spurious gold items by an employee with the bank where he was employed cannot be viewed as a minor offence. The fact that another employee against whom also similar allegations were raised still continues in employment cannot be taken as a valid ground to interfere with the punishment of dismissal meted out to the workman herein. The Supreme Court has observed in *Union Bank of India Vs. Vishwa Mohan*—1998 (4) SCC 310 that in the banking business, absolute devotion, diligence, integrity and honesty needs to be preserved by every bank employee. If this is not observed, the confidence of the Public/depositors would be impaired. Therefore, it would not be in the interest of all concerned viz the public, the management and also other employees of the bank to retain a workman who had committed serious misconduct involving economic offence. The Supreme Court has repeatedly held that the punishment of dismissal imposed by the disciplinary authority cannot be subjected to judicial review by the Court/Tribunal unless the same is shockingly disproportionate. (see *U.P. State Road Transport Corporation V/s. Subash Chandra Sharma*—2000 (3) SCC 324, *Chairman and Managing Director, United Commercial Bank Vs. P.C. Kakkar*—2003 (4) SCC 364, *BHEL V/s. Chandrasekhar Reddy*—2005-1 LLJ 865 etc.)

15. In View of the above legal position and having regard to the gravity of the misconduct committed by the workman herein it cannot be held that the punishment is excessive. In the circumstances, I am not inclined to interfere with the punishment of dismissal meted to him.

16. There is also no merit or substance in the contention of the workman that his dismissal was by way of victimization or due to union rivalry as there is no material to substantiate this contention.

In the result, an award is passed holding that the dismissal of Sri V. Sasikumaran, Peon by the management of South Indian Bank Ltd. is proper and justified and he is not entitled to any relief. The reference order is answered accordingly.

Dated this the 31st day of August, 2005.

B. RANJIT KUMAR, Industrial Tribunal

नई दिल्ली, 19 सितम्बर, 2005

का. आ. 3749.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/226/2001-आई आर (बी-1);
एल-12012/235, 237, 238/2001-आई आर (बी-1);
एल-12012/207/2002-आई आर (बी-1);
एल-12012/283, 287, 288/2000-आई आर (बी-1);
एल-12012/210/2002-आई आर (बी-1);
एल-12012/289, 294/2000-आई आर (बी-1);
एल-12012/248, 325, 250, 255, 256, 257,
258, 319/2001-आई आर (बी-1);
एल-12012/202, 204, 203/2002-आई आर (बी-1);
एल-12012/154, 496, 497, 499, 155, 500, 156, 501, 157,
502, 158, 503, 504, 169, 505/2002-आई आर (बी-1);
एल-12012/70/2001-आई आर (बी-1);
एल-12012/506, 514/2002-आई आर (बी-1);
एल-12012/321, 341/2001-आई आर (बी-1);
एल-12012/498, 291, 292, 293, 506, 514/2000-आई आर (बी-1);
एल-12012/321, 341/2001-आई आर (बी-1);
एल-12012/295, 296, 297, 171, 170, 362 to 367, 376/
2000-आई आर (बी-1);
एल-12012/371, 380, 381, 95, 96, 395, 97, 92, 93, 94, 99, 394,
98, 393, 441, 382, 442, 443, 445, 446, 392, 444/2001-आई आर
(बी-1);
एल-12012/67/2002-आई आर (बी-1);
एल-12012/76/2001-आई आर (बी-1);
एल-12012/77, 153, 154/2002-आई आर (बी-1)]
अजय कुमार, डैस्क अधिकारी

New Delhi, the 19th September, 2005

S.O. 3749.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award () of the Central Government Industrial Tribunal/ Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 16-09-2005.

[No. L-12012/226/2001-IR (B-1);
L-12012/235, 237, 238/2001-IR (B-1);
L-12012/207/2002-IR (B-1);

L-12012/283, 287, 288/2000-IR (B-I);

L-12012/210/2002-IR (B-I);

L-12012/289, 294/2000-IR (B-I);

L-12012/248, 325, 250, 255, 256, 257,
258, 319/2001-IR (B-I);

L-12012/202, 204, 203/2002-IR (B-I);

L-12012/154, 496, 497, 499, 155, 500, 156, 501, 157,
502, 158, 503, 504, 169, 505/2002-IR (B-I);

L-12012/70/2001-IR (B-I);

L-12012/506, 514/2002-IR (B-I);

L-12012/321, 341/2001-IR (B-I);

L-12012/498, 291, 292, 293, 506, 514/2000-IR (B-I);

L-12012/321, 341/2001-IR (B-I);

L-12012/295, 296, 297, 171, 170, 362 to 367, 376/
2000-IR (B-I);L-12012/371, 380, 381, 95, 96, 395, 97, 92, 93, 94, 99, 394,
98, 393, 441, 382, 442, 443, 445, 446, 392, 444/2001-IR (B-I);

L-12012/67/2002-IR (B-I);

L-12012/76/2001-IR (B-I);

L-12012/77, 153, 154/2002-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD****PRESENT:**Shri E. ISMAIL, B. Sc., LL.B.,
Presiding Officer

Dated the 17th May, 2005

I.D. 5 of 2002

Between : K. Rama RaoPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/226/2001-IR(B-I)

I.D. 6 of 2002

Between : P. RaviPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/235/2001-IR(B-I)

I.D. 7 of 2002

Between : T. BaburaoPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/237/2001-IR(B-I)

I.D. 8 of 2002

Between : B. AdishesuduPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/238/2001-IR(B-I)

I.D. 10 of 2003

Between : M. KrishnuduPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/207/2001-IR(B-I)

I.D. 11 of 2001

Between : A. RamuluPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/283/2000-IR(B-I)

I.D. 12 of 2001

Between : G. KoteswarammaPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/287/2000-IR(B-I)

I.D. 13 of 2001

Between : P. V. Bhasker RaoPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/288/2000-IR(B-I)

I.D. 13A of 2003

Between : K. Prabhakar RaoPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/210/2002-IR(B-I)

I.D. 14 of 2001

Between : S. SarojiniPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/289/2000-IR(B-I)

I.D. 15 of 2001

Between : M. SeshagiriraoPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/294/2000-IR(B-I)

I.D. 16 of 2002

Between : M. YacobPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/248/2001-IR(B-I)

I.D. 18 of 2002

Between : K. ChandrasekherPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/325/2001-IR(B-I)

I.D. 22 of 2002

Between : J. AnandaramPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/250/2001-IR(B-I)

I.D. 23 of 2002

Between : K. Vijay KumarPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/255/2001-IR(B-I)

I.D. 24 of 2002

Between : K. Paul RajuPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/256/2001-IR(B-I)

I.D. 25 of 2002

Between : B. Subba RaoPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/257/2001-IR(B-I)

I.D. 26 of 2002

Between : K.V. SubbaraoPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/258/2001-IR(B-I)

I.D. 27 of 2002

Between : G. VenkataramanaPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/319/2001-IR(B-I)

I.D. 29 of 2003

Between : Md. MalikPetitioner

AND : The Asst. General Manager,
State Bank of India,
Zonal Office,
Labbipet VijayawadaRespondent

Reference No. L-12012/202/2002-IR(B-I)

I.D. 31 of 2003

Between : K. Rrabhakar RaoPetitioner
 -AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/204/2002-IR(B-I)

I.D. 33 of 2003

Between : D. DhananjancyuluPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/203/2002-IR(B-I)

I.D. 40 of 2002

Between : G. SamuelPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/154/2000-IR(B-I)

I.D. 61 of 2001

Between : J. Subrahmanyeshwar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/496/2000-IR(B-I)

I.D. 62 of 2001

Between : N. Gandhi PrasadPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/497/2000-IR(B-I)

I.D. 63 of 2002

Between : K. YesuPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/499/2000-IR(B-I)

I.D. 63 of 2001

Between : G. AbrahamPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/155/2000-IR(B-I)

I.D. 64 of 2001

Between : T. RameshPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/500/2000-IR(B-I)

I.D. 64 of 2002

Between : M. Mallikarjuna raoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/156/2000-IR(B-I)

I.D. 65 of 2001

Between : P. Janardhan RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/501/2000-IR(B-I)

I.D. 65 of 2002

Between : Y. Deena RajuPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/157/2000-IR(B-I)

I.D. 66 of 2001

Between : Ch. KumariPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/502/2000-IR(B-I)

I.D. 66 of 2002

Between : P. SubramanyeswaraoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/158/2000-IR(B-I)

I.D. 67 of 2001

Between : K. Krishna RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/503/2000-IR(B-I)

I.D. 68 of 2001

Between : S. Koteswar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/504/2000-IR(B-I)

I.D. 68 of 2002

Between : Bandi RajuPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/169/2000-IR(B-I)

I.D. 69 of 2001

Between : G. Sudhakar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/505/2000-IR(B-I)

I.D. 69 of 2002

Between : Y. V.S.S. PrasadPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/70/2001-IR(B-I)

I.D. 70 of 2001

Between : M. Kameswar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/506/2000-IR(B-I)

I.D. 71 of 2001

Between : G. ThomasPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/514/2000-IR(B-I)

I.D. 73 of 2002

Between : P. Venkateswara RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/321/2001-IR(B-I)

I.D. 74 of 2002

Between : E. BalaiahPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/341/2001-IR(B-I)

I.D. 112 of 2002

Between : John BabuPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/498/2000-IR(B-I)

I.D. 116 of 2001

Between : M. Venkateswar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/291/2000-IR(B-I)

I.D. 117 of 2001

Between : B. AnjayyaPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/292/2000-IR(B-I)

I.D. 118 of 2001

Between : Ch. JaikumarPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/293/2000-IR(B-I)

I.D. 70 of 2001

Between : M. Kameswar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/506/2000-IR(B-I)

I.D. 71 of 2001

Between : G. ThomasPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/514/2000-IR(B-I)

I.D. 73 of 2002

Between : P. Venkateswam RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/321/2000-IR(B-I)

I.D. 74 of 2002

Between : B. BalaiahPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/341/2000-IR(B-I)

I.D. 112 of 2002

Between : John BabuPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/498/2000-IR(B-I)

I.D. 116 of 2001

Between : M. Venkateshwar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/291/2000-IR(B-I)

I.D. 117 of 2001

Between : B. AnjappaPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/292/2000-IR(B-I)

I.D. 118 of 2001

Between : Ch. JaikumarPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/293/2000-IR(B-I)

I.D. 119 of 2001

Between : K. RamanjaneyuluPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/295/2000-IR(B-I)

I.D. 120 of 2001

Between : V. Varaprasad RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/296/2000-IR(B-I)

I.D. 121 of 2001

Between : D. RamaiahPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/297/2000-IR(B-I)

I.D. 130 of 2002

Between : M. Ananda RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/171/2000-IR(B-I)

I.D. 132 of 2002

Between : D. ArjunaraoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/170/2000-IR(B-I)

I.D. 135 of 2001

Between : P. Venkateshwar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/362/2000-IR(B-I)

I.D. 136 of 2001

Between : M. Nagabushan RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/363/2000-IR(B-I)

I.D. 137 of 2001

Between : J. PrasadPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/364/2000-IR(B-I)

I.D. 138 of 2001

Between : BDSKV Hanumantha RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/365/2000-IR(B-I)

I.D. 139 of 2001

Between : M. N. NancharaiahPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/366/2000-IR(B-I)

I.D. 140 of 2001

Between : K. AdiseshuduPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/367/2000-IR(B-I)

I.D. 141 of 2001

Between : P. Kameshwar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/376/2000-IR(B-I)

I.D. 210 of 2002

Between : N. V. Balakrishna RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/371/2001-IR(B-I)

I.D. 211 of 2002

Between : A. V. ApparaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/380/2001-IR(B-I)

I.D. 212 of 2002

Between : B. V. Ramana RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/381/2001-IR(B-I)

I.D. 213 of 2001

Between : G. SrinuPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/95/2001-IR(B-I)

I.D. 214 of 2001

Between : M.N. NancharaiahPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/96/2001-IR(B-I)

I.D. 214 of 2002

Between : K. Rajendra PrasadPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/395/2001-IR(B-I)

I.D. 215 of 2001

Between : K. NageswararaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/97/2001-IR(B-I)

I.D. 216 of 2001

Between : B. NoblePetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/92/2001-IR(B-I)

I.D. 217 of 2001

Between : V. MuthaiahPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/93/2001-IR(B-I)

I.D. 218 of 2001

Between : K. AdilaxmiPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/94/2001-IR(B-I)

I.D. 219 of 2001

Between : P. GandhiPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet Vijayawada Respondent

Reference No. L-12012/99/2001-IR(B-I)

I.D. 221 of 2002

Between : P. Nageswara RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/394/2001-IR(B-I)

I.D. 232 of 2001

Between : A. Rajarao Petitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/98/2001-IR(B-I)

I.D. 232 of 2002

Between : TVV SatyanarayanaPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/393/2001-IR(B-I)

I.D. 233 of 2002

Between : G.N. MalleswaraoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/441/2001-IR(B-I)

I.D. 234 of 2002

Between : K. VenkataratnamPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/382/2001-IR(B-I)

I.D. 239 of 2002

Between : M. Chiranjeevi ... Petitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/442/2001-IR(B-I)

I.D. 244 of 2002

Between : M. ImmanuelPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/443/2001-IR(B-I)

I.D. 245 of 2002

Between : K.S. Prem KumarPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/445/2001-IR(B-I)

I.D. 246 of 2002

Between : M. MoshePetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/446/2001-IR(B-I)

I.D. 253 of 2002

Between : M. Vijaya RajuPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/392/2001-IR(B-I)

I.D. 254 of 2002

Between : V. NagababuPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/444/2001-IR(B-I)

I.D. 276 of 2002

Between : K. Kishore & 6 othersPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/67/2001-IR(B-I)

I.D. 283 of 2002

Between : M. Bhaskar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/76/2001-IR(B-I)

I.D. 284 of 2002

Between : I. Nagamalleshwar RaoPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/77/2002-IR(B-I)

I.D. 295 of 2002

Between : K. VenugopalPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/153/2002-IR(B-I)

I.D. 296 of 2002

Between : M. MaruthiPetitioner
 AND : The Asst. General Manager,
 State Bank of India,
 Zonal Office,
 Labbipet VijayawadaRespondent

Reference No. L-12012/154/2002-IR(B-I)**Appearances :**

For the Petitioners : S/Shri Vikas, Prabhakar, S. Prasad
 Rao, P. Damodar Reddy, D.G.
 Choudary, Anjanadevi, A.K.
 Jayaprakash Rao, Niranjana Rao,
 Advocates

For the Respondents : M/s B.G. Ravindra Reddy &
 B.V. Chandra Sekhar. Advocates

AWARD

The Government of India, Ministry of Labour by its order No. L-12012/126/2001-IR(B-I) dated 18-9-2001 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of State Bank of India and their workman. The reference is :

SCHEDULE

"Whether the action of the management of State Bank of India, Local Head office, Hyderabad in terminating the services of Sri P. Anil Kumar, Temporary/Non-Messenger, State Bank of India w.e.f. 31-3-1997 is justified or not? If not, what relief the applicant is entitled?"

The reference is numbered in this Tribunal as I.D. No. 222/2001 and notices were issued to parties. The Government of India has referred about 500 such references and it will not be possible or practicable to answer every reference separately. As the main issues involved are one and the same, I am of the opinion that all of them can be decided in groups by giving common awards, this group which I am now dealing pertains to Vijayawada Zone and this reference and 85 other references a common award is passed.

4. To begin with I am quite perturbed due to the chequered history of these cases and also due to the fact that seeds of this litigation was sown in 1975. I have not only to consider merely the technical aspects, powers of the Industrial Tribunal in simply answering the reference but I will also have to see viewing it as a human problem. These cases remind me of a poem by the famous Poet Faiz Ahmed Faiz and I find no better way than to start my award by quoting the entire poem of Faiz.

"Humility I've learnt, sympathy for the poor,
 learnt the meaning of despair, suffering and pain;
 learnt to comprehend the miseries of the oppressed,
 the meaning of cold sighs, of pallid faces.

Whenever those hapless creatures sit together to cry,
 In whose eyes tears, bitterly shed, fall asleep,

And those destitute upon whose morsels swoop
 down, the vultures hovering above, poised on their
 wings,

whenever is traded in the market place the flesh of
 the labourer,

and on the highways flows the blood of the poor,
 a sort of fire upon the pavement,
 and I lose all heart and soul."

As I stated supra, these cases have got a chequered history and instead of myself narrating the same, I think it would be better to write down what he stated in his claim statement of this particular case which practically is the same pleading for all the claim statements in all the cases filed by the Petitioners.

5. The Petitioner Mr. P. Anil Kumar in ID No. 222/2001 has filed the following claim statement. That the workman joined in the services of the Management institution namely State Bank of India as messenger in 1988 and rendered unblemished service spreading over a period of about 10 years upto 3-1997 when his services were terminated by oral order w.e.f. 1-4-1997. The workman submits that he is erstwhile employee who has worked in various branches of State Bank of India. He belongs to

Scheduled Caste, he passed IX class. The qualification is VIII standard which is prescribed for the post of messenger. The Management of Bank has decided to give a chance to temporarily employed personnel found suitable for permanent appointment by waitlisting them by offering permanent appointment or waitlisting them till such opportunity arises.

6. That on 17-11-1987 a settlement was reached between All India State Bank of India Staff Federation and the Management of State Bank of India—settlement one, under this settlement three categories of employees were listed. This is, (A) those who have completed 240 days in 12 months or less, after 1-7-1975, (B) those who have completed 270 days in any continuous block of 36 calendar months after 1-7-1975, (C) (i) those who have completed minimum of 30 days aggregate temporary service in any calendar year after 1-7-1975 or (ii) 70 days aggregate temporary service in continuous block of 36 months after 1-7-1975.

7. The persons who satisfied in all the above 4 categories were to be interviewed by a selection committee the said selection committee would determine the suitability of the said candidate for permanent appointment. Therefore, the bank first day opportunity to notice and observe the work of the workman then prescribed certain the qualifications and from among the candidates satisfying the qualifications the suitable candidates were enlisted by a selection committee. Clause 7 of the said agreement provided with the selected candidate would be wait listed in order of their respective categorization and the selected panel by valid upto December, 1991. Clause 10 of the settlement is specifically provided that henceforth, "there will be no temporary appointments in the subordinate cadre," except on a restrictive basis in the specified category, "from amongst empanelled candidates as per existing guidelines of the bank," the workman further submits that consequent upon the said agreement and the draft, a notification was issued in the newspapers. The last date for responding to the advertisement was 30-08-1988. A written examination followed by viva-voce in May, 1989 was held. A selected panel was prepared, as per clause 7 of the agreement, i.e., settlement No. 1, the selected panel was to be valid upto December, 1991. The workman submits that circular was issued on 26-04-91 by the said letter it is mentioned that the terms of the agreement dated 17-11-87 was modified vide second agreement dated 16-07-88 was entered into between the parties. In terms of the said agreement a chance was to be given, "to all eligible temporary employees for permanent appointments. The appointments were against the vacancies likely to arise during the years 1995-96, circular made it clear that in view of the enormity of the problem an extension of the currency of the panel,

eligible temporary employees who have been empanelled could not appear in the earlier interviews and have been pursuing their cases thereafter, "will be given another chance to appear for interview".

8. In fact, there is some confusion in the claim statement, but actually another panel was prepared. There were total five settlements, settlement dated 17-11-87 is the 1st settlement (Ex. M1) settlement dated 16-7-88 is 2nd settlement (Ex. M2), settlement dated 27-10-88 is the 3rd settlement (Ex. M3), then settlement dated 9-1-91 is 4th settlement and settlement dated 30-7-96 is 5th settlement (Ex. M6). In between there is minutes of conciliation proceedings dated 9-6-95 marked as Ex. M5. That due to all these settlements which were extended by further settlements thereby creating reasonable expectations in the list of the selected candidates arose with its a question of time before appointments or services are regularized in the services of the bank. The workman was working with the bank on temporary basis was under the bonafide hope that sooner his services will be regularized with the bank. He is thereby closed all his options elsewhere. It is needless to point out that employing person to whom hope of employment in substantial terms was made is a facet of Article 21 of the Constitution of India.

9. The Government of India issued circular No. F-3/3/104/87-IR, dated 16-8-1990. Under the said circular the Chief Executives of all public sector banks including the Management herein were specifically instructed that until the problem of existing temporary employees is fully resolved, no bank is permitted to make any permanent appointments. That some of the persons similarly situated like this Petitioner aggrieved by the inaction on the part of the Management of the bank in not regularizing their services from out of the selected panel and not clearly focusing the vacancy position, filed W.P. No. 1194/97 on the file of the Hon'ble High Court of A.P. It is specifically averred in the said Writ Petition that the Management of the bank had failed to implement the settlement and that it violates the various fundamental rights guaranteed under the Constitution of India. The Hon'ble High Court of A.P. by an order dated 5-3-97 directed the bank to implement the settlement as amended from time to time. It also directed the bank to carryout the terms of the settlement before the expiry of March, 1997. The High Court also recorded a finding that the Bank cannot escape its liability of enforcement of the settlement. In view of the directions granted by the High Court in W.P. No. 4194/97 all candidates whose names appeared in the select panels prepared on the basis of the agreement entered into on 17-11-87 under which the panel was valid upto December, 1991, and on the basis of a settlement dated 27-10-1988 whereby the panels were made alive upto 31-3-1997 under which the panel was said upto December, 1999. The other

agreement dated 16-7-1988 under which the panel was valid upto 1992 and on the basis of the settlement dated 27-10-1998 whereby the panels were made alive upto 31-3-1997 were under the bonafide impression that their cases will be considered for regularization and were living on the basis of the said reasonable expectation. Unfortunately, contrary to the directions given by the High Court on 5-3-1997 in W.P. No. 4194/97 and contrary to the settlements entered into between the parties, the bank issued proceedings dated 25-3-1997, dated 27-3-1997 and 31-3-1997 instructing the various authorities of the Management not to continue the temporary employees those who are in services of the bank from 1-4-97. The said order was followed by the Management. Aggrieved by the said action the workman herein and similarly situated candidates have filed a writ petition before the Hon'ble High Court by way of Writ Petition No. 9206/97 seeking a declaration that the proceedings issued by the Deputy General Manager and the Assistant General Manager (Respondents 3,4 and 5 therein) on 25-3-97, 27-3-97 and 31-3-97 as illegal and also non-continuance of the Petitioners therein in service by absorbing them in the services of the bank as violative of Section 2(p) and 18(1) read with Rule 58 of Central Rules and sought for specific direction to the bank to absorb them in service.

10. He further submits that in the counter affidavit filed in Writ Petition No. 9206/97, the bank submitted that it has about 805 branches in Andhra Pradesh alone. It has stated that due to exigencies of circumstances and on account of the urgent need in its banks, it employed temporary employees in subordinate cadre. It is pertinent to mention that it does not state the urgent needs or the nature of temporary employees that it had engaged. Enquiry into the same would reveal that the stand taken by the bank either on the ground of urgent need or of temporary employees is a facade to perpetuate unfair labour practice. It is designed to, on the one hand, keep the employed in the erroneous zone of hope and on the other to ensure that benefits that a model employer will extend under various statutes to its employees is not required to be borne out by the bank. A reading of the counter affidavit would show that the bank would opines that being just fair and reasonable are which obviously is reprehensible and is a facet of unfair labour practice.

11. He submits that the bank refers in its counter affidavit to three settlements dated 17-11-87, 16-7-88 and 27-10-88. The bank in the guise of extending the benefits of the circular of Government dated 16-8-90 stated in its counter affidavit as follows: "Government of India, vide its letter dated 16-8-1990, issued guidelines to all the public sector banks with regard to recruitment and absorption of temporary employees in public sector banks. The said guidelines were issued to implement on the lines of the

approach paper on the issue' provided by a committee constituted in this regard. The Government of India guidelines made it clear that all the public sector banks may follow the provisions laid down in the approach paper.

The approach paper specified that the cases of temporary employees who had put in not less than 240 days of temporary service in 12 consecutive months and who are entitled to benefit of Section 25-F may be decided by entering into a settlement with the representative union. In respect of temporary employees who had put in less, than 240 days of service in 12 consecutive months or less, a settlement could be avoided and however if the Management so desired, they could enter into a conciliation settlement with the representative union. In para 6(h), it is mentioned that only those temporary employees who had put in temporary service of 90 or more days after 1-1-1982 would be eligible for considering under the scheme. Although the Government guidelines envisaged for a settlement in respect of employees who has put in temporary service of 90 or more days, the banks by way of further concession entered into settlement, even in respect of those who had put in less than 90 days. As such, it could be seen that the settlement are more beneficial to the temporary employees concerned. The approach paper also specify at para 6 (c) that the banks would provide one time opportunity to all the temporary employees and for that purpose temporary employees worked in the bank on or after 1-1-1982 could be considered for re-employment in terms of the scheme. The Respondents have gone further wherein even persons working after 1975 were also considered.

As could be seen from the above, there was a genuine effort on the part of the Respondent bank to provide permanent employment for as many as possible subject to availability of the vacancies.

It is further submitted that at para. 6(k) of the approach paper, it was made clear that this would be one time exercise in full and final settlement of all the aims and disputes for the past period in respect of temporary workmen covered by the settlement. This would mean that the Government of India guidelines would cover only those persons who were temporarily employed for the period specified therein and not otherwise. As such, it is submitted that the Respondents have not only followed the Government of India guidelines but in fact covered cases of the employees who had worked for less than 90 days. As such, question of violation does not arise and in any case those were only broad guidelines and not directives".

12. The workman submits that the bank also referred a further settlement dated 9-1-1991 wherein there is a clause to the effect that the panel of temporary employees

and the panel of daily wage employees will be operated to a particular period. Therefore their cases will not be considered. The Management herein relying upon this settlement in their impugned action. It is submitted that even the settlement dated 9-1-1991 will not empower the management to terminate the services of the temporary employees who are working in the bank services like the workman herein as it does not specify the termination of the employees. In fact there are so many vacancies wherein the Management has engaged several new persons as temporary messengers/attenders/sweeper etc., even after the judgement of Hon'ble High Court without considering the cases of the similarly situated candidates like the workman herein. It is submitted inspite of engaging fresh candidates as is now being done by the Management they would have continued the similarly situated candidates like the workman herein in the services of the bank and consider their cases for absorption in view of the circulars issued by Central Government as well as the directions of this Hon'ble Court in Writ Petition No. 4194/97, dated 5-3-97. In view of the circulars issued by the Central Government, the Management should not have relied upon the settlement dated 9-1-1991. Hence, the impugned action of the Management is illegal, unjust, violative of fundamental rights such as Articles 14, 16 and 21 of the Constitution of India.

13. The workman submits that the Hon'ble High Court allowed the Writ Petition No. 9206/97 and batch by an order dated 1-1-1998. It is pertinent to mention that as a matter of fact the Hon'ble High Court on a detailed enquiry recorded the following findings of fact :

"(1) That the candidates had appeared for written examination and a *Viva Voce* Test. They therefore, satisfied a procedure of objective criteria in the process of selection.

(2) The life of the panels were admittedly extended by the bank beyond its initial life-span.

(3) In spite of creation of the panels and non-regularisation of the services of the employees who were continued to be in the panel, the above workman were continued to be engaged till the Circulars were issued on 25-3-1997, 27-3-1997 and 31-3-1997.

(4) The workmen were given the definite impression that the panels will be kept alive till all the empanelled candidates were absorbed.

(5) No fresh recruitment would be taken up by the bank till the said empanelled employees are absorbed and regularized in the services of the bank.

(6) The Petitioners had a legitimate expectation of being regularized in the services of the bank.

(7) Orders of oral termination effected the continuance of the candidates in the services of the bank, thereby the settlements cannot be pressed into service not to regularize the services of the workmen but to terminate their services even if they were otherwise eligible for regularization.

(8) The action of the Authorities could also be contrary to the ratio laid down by the Supreme Court in *State Bank of India Vs. V. Sundara Mani* reported in AIR 1976 SC 1111.

(9) The status of the workmen vis-a-vis the bank needed no probe.

(10). That the Bipartite Settlement dated 19-10-1966 dealing with the question of temporary workmen pointed out that there should be no temporary appointment exceeding the period of 3 months and the fact that the employees have been working for the lengths of time mentioned in Annexure shows that there is not only violation of Bipartite Agreement of the Desai Award that after the said period, the status of the employees is that of regular employees.

(11) Mr. S. Ramachandra Rao, the Learned Counsel for the Petitioners, is totally right in contending that there is nothing left to be settled between the parties as to their respective rights and liabilities or duties as the case may be except to know whether they have been implemented or enforced. Therefore, it has become a question of fact whether the settlement has been implemented or flouted by the Respondent bank in its true and real implications".

14. The workman submits that in W.P. No. 4194/97 filed by the union of temporary employees wherein they have complained about the non-implementation of the settlements arrived between the parties and sought for absorption. Such employees in the bank services on permanent basis before the date fixed for carrying out the terms of settlement, the Court held that the members of the union had been empanelled in the list, they were not regularized and the time was going to run out to the near future and the Respondent bank and its officers cannot escape from the liability of enforcing the settlement which has been reached and therefore directed that the bank and the officers shall implement the settlement dated 17-11-87 as amended from time to time before the expiry of 31-3-97.

15. Further, judgement were cited with the claim statement which need not be mentioned here as any way they will be referred to while referring the arguments. It is further averred that it is a human right and it is not necessary that the right should be stated as fundamental right in Chapter III and new rights can be read into and inferred from the rights stated in the Chapter III of the

Constitution of India. He submitted that in the clause 10 of the statement it is specifically mentioned that the workman to be absorbed or appointed in the bank prohibiting temporary appointments subsequent to the date of settlements. Even the authorities want to make temporary appointments that should be made only from among the empanelled candidates. The Management has indulged in unfair labour practices. The Management has committed unfair labour practice and terminated the services of candidates from 1-4-97 which is arbitrary, discriminatory, contrary to their own guidelines and violative of the Constitutional provisions which are guaranteed in Chapter III in the Constitution of India.

16. It is strange as to how the panels were allowed to lapse by a so-called Memorandum of Understanding dated 25-2-1997, that the action of terminating such employees like the workman by virtue of an impugned oral proceedings without implementing the settlement would be illegal and unfair labour practice which can not be allowed to be perpetuated. That the discontinuance of the workman after 31-3-97 but served in the bank in any capacity amounts to retrenchment. It could not have been done without any notice and it violates Sec. 25FF of the Industrial Disputes Act, 1947 and the said action is violative of principles of natural justice guaranteed under Chapter III of the Constitution of India. This amounts to retrenchment without one month's notice and taken in view of such notice. Thus, the main proceedings are issued in cleanable exercise of power, without jurisdiction, arbitrary, illegal and therefore liable to be quashed. That the alleged Memorandum of Understanding dated 27-2-97, Ex. M5 does not appoint the workman and it's own legal entity, the said Memorandum of Understanding is not published anywhere to brought to the notice of the workman whose rights are being affected. Submitted that the Management did not adhere to the procedure envisaged by the Central Government in its' instructions dated 16-8-90 in the year 1995. The same was not followed in the year 1997 despite there being vacancies. The Management has followed the procedure of calling candidates through employment exchange instead of giving chance to the empanelled candidates like the workman here. It is not pertinent to note/mention here that the Respondent Management sent all letters to the similarly situated candidates like the workman in the month of June, 1997, subsequent to the passing of impugned termination orders. After knowing the facts that the candidates are litigating, the Management refused to engage these candidates. It is once again reiterated that the panels are meant for absorption but not for termination. It was the duty of the management to engage the empanelled candidates like the workman even in temporary vacancies till they are absorbed permanently in regular vacancies. Hence, the action of the Respondent Management

terminating the services of the workman by oral order dated 31-3-97 is unjust, illegal, violative of principles of natural justice and hence, the Management is directed to reinstate and absorb the workman and grant all incident and consequential benefits.

17. A counter was filed with the following averments. That the reference is tenable and contrary to the provisions of Industrial Disputes Act, 1947. It is respectfully submitted that to tide over severe sub-ordinate staff constraints which arose out of leave vacancies, exigencies, etc., and also owing to the restrictions imposed by the Government of India/Reserve Bank of India on intake of staff, the Respondent bank, used to engage sub-ordinate staff like messengers, sweepers, sweeper cum water boys, etc., depending on the availability of work on purely temporary basis for the smooth and uninterrupted functioning of the branches. It is submitted that the All India State Bank of India Staff Federation which represents majority of the employees in the State Bank of India comprising about 98% of the work force as its' members espoused the cause of temporary employees who have put in less than 240 days of temporary service in 12 calendar months in the bank and who were ineligible for any protection under Industrial Disputes Act, 1947 to give a chance for being considered for absorption and permanent appointments.

18. Discussions were held and on 17-11-1987 an agreement was signed between the federation and the Management bank under Sec. 2(p) read with Sec. 18(1) of the Industrial Disputes Act, 1947 read with Rule 58 of Industrial Disputes (Central) Rules, 1957. A copy of the said settlement dated 17-11-87 which may be herein after referred as first settlement is filed and 4 categories were made as it has already been mentioned in the claim statement above, it need not be repeated here. In the first settlement, it was agreed that the temporary employees as categorised would be given a chance for being considered for permanent appointment in the bank's service against the vacancies which are likely to arise during the period 1987 to 1991. On 16-7-88 second settlement was arrived between the Federation and the bank whereby it was agreed to substitute the period of consideration of vacancies as 1987 to 1992 in place of 1987 to 1991 as contemplated under the first settlement dated 17-11-1987. This is the second settlement. A 3rd settlement was entered into on 27-10-88 and it was agreed that the bank's service against the vacancies likely to arise from 1988 to 1992 was to be considered. Government of India vide its letter dated 16-8-90 issued guidelines to all the public sector banks with regard to recruitment and absorption of temporary employees in public sector bank. The said guidelines were issued to implement on the lines of approach paper on the issue provided by a committee constituted in this regard.

Government of India guidelines made it clear that all the public sector banks may follow the provisions laid down in the approach paper. The approach paper specified that the cases of temporary service in 12 consecutive months and who are entitled to benefit of Sec. 25F of the Industrial Disputes Act, 1947 may be decided by entering into a settlement with the representative union. In respect of temporary employees who had put in less than 240 days of service in 12 consecutive months or less, a settlement could be avoided and however if the management so desired they could enter in a conciliation settlement with the representative union. In para 6(h) it is mentioned that only those temporary employees who had put in temporary service of 90 days or more days after 1-1-82 would be eligible for considering under the scheme. Although the Government guidelines envisaged for a settlement in respect of employees who had put in temporary service of 90 days or more days, the bank by way of a further concession entered into settlements even in respect of those who had put in less than 90 days and also the bank went a step further and said those persons who are working after 1975 were also considered. Hence, there was a genuine effort on the part of the Respondent bank to provide as many as possible jobs subject to the availability of the vacancies. However, para 6(k) of the approach paper made it clear that it is a one time exercise in full and final settlement of all the claims and disputes for the past period, in respect of temporary workmen covered by the settlement. Another settlement was entered on 9-1-91 herein after referred as 4th settlement. And the time limit was extended upto 1994 and separate panel was prepared for temporary employees, casual/daily wagers. It was agreed that while vacancies arising between 1988 to 1994 in respect of temporary employees and in respect of casual/daily wagers, they can be considered for the vacancies arising between 1995-96 only.

19. It is submitted that the administrative set up of the Hyderabad Local Head Office comprises of four Zonal Offices (Zones) at Hyderabad, Vijayawada, Visakhapatnam and Tirupathi covering all the Districts of Andhra Pradesh. In terms of the settlement the Management after following the procedure laid down therein prepared the panels of qualified candidates of temporary employees denoted as 1989 panel and also panel of casual/daily wagers denoted as 1992 panel for giving a chance being considered for permanent absorption. These panels were prepared zone-wise separately for messengers and non-messengers in the descending order of temporary service put in by the candidates during the stipulated period i.e. 1-7-1975 to 31-7-1988. That the federation approached the Regional Labour Commissioner (C) for implementation of bi-partite settlement in respect of absorption of temporary employees. The Regional Labour Commissioner (C) conducted

conciliation proceedings and an agreement was arrived between the Federation and the bank. It was agreed that it would be kept alive upto March 1997. A copy of the conciliation proceedings dated 9-2-1995 signed by the parties is filed as material paper. A settlement was arrived at and an agreement was signed between the Federation and the Management bank on 30-7-1996 under Sec. 2(p) read with Sec. 18(1) of the Industrial Disputes (Central) Rules, 1957, which is hereinafter called as 5th settlement. That on 27-2-1997 a Memorandum of Understanding was also signed by the Federation's affiliate and the bank Management recording the fact that the exercise of identifying the messengerial vacancies as on 31-12-1994 has since been completed by Central Office and thereby 403 messengerial vacancies were sanctioned. It was agreed that these vacancies may be filled from 1989 panel of temporary employees after effecting conversion from full time non-messengerial staff in the usual manner and the agreement was reached accordingly. It was agreed between the Federation's affiliate and the Management bank that in terms of the settlement dated 30-7-1996 both the panel of temporary employees and daily wagers/casual employees would lapse on 31-3-1997. That as agreed upon vacancies were filled from the panels. The petitioners who have put in an aggregate temporary service of less than 240 days in a continuous block of 12 months period during 1-7-1975 to 31-7-1988 has no right to seek a direction to consider his candidatures for absorption in the management bank under any rule/law except under the settlement entered into thereon. In fact, the case of the Petitioner can be considered under all the five settlements having got his case considered under provisions of these settlements. All the other provisions and terms of the settlements are also binding on him/her. The management bank has not violated any of the provisions of the terms of the said settlement. That the very preparation and maintenance of panel is non-compliance of the terms agreed under these settlements. These settlements were time bound and they ceased to exist on 31-3-1997. That the bank has never promised that all the candidates in the panel will be absorbed. In the advertisement itself it was made clear that candidates will be considered for absorption in the vacancies that may arise upto 1997. Keeping alive the panels after 31-3-1997 is contrary to the settlements arrived between the State Bank of India Staff Federation and the Management bank. That the settlements are binding on the parties. The petitioner is also bound under the terms of the said settlement. The settlement do not suffer from any ambiguity as their language is very clear. The right under the settlements is to give them a chance to be considered for future appointment in the bank's services against the vacancies likely to arise. The settlements were effected to balance the expectations of the temporary employees to be absorbed in permanent

service as against the constitutional rights of all eligible persons to be considered for employment every time a vacancy arises. That the alleged dispute including the demand for reinstatement has to be decided in this context. It is submitted that the period expired on 31-3-97 and it is an integral term of the settlement and cannot be modified in any proceedings under the law. These temporary employees who unfortunately could not be accommodated for want of vacancies have no further rights to be considered for regularization. That the Hon'ble High Court in WP No. 12964/94, held as follows, "It is needless to state that the settlement arrived at between the All India State Bank of India Staff Federation which is the majority union and the bank management is binding on the Petitioners also. It is not at all the case of the Petitioner that any of the terms of the settlement has been violated by the bank's Management. If the Petitioner had worked in the bank on part-time basis before 31-5-94, that itself would not vest in him a right to claim that his services should be regularized on permanent basis against a full time cadre post. The claim put forth by the Petitioner in the present petition is therefore misconceived and not tenable. However, it is open to the Petitioner to claim any right which flows from the settlement between the union and the bank Management. As already pointed out that it is not the grievance of the Petitioner that some right which has flown from the settlement in favour of the Petitioner has been denied by the bank Management. Therefore, I do not find any ground, let alone substantial ground, to grant the kind of relief sought for by the Petitioner. Writ Petition fails and is accordingly dismissed. No. costs."

20. If the panels were not lapsed at the end of designated period and allowed to be continued it would result in making the contracts of temporary employment indirectly permanent through back door entry, which would not only be contrary to the settlements but also to Articles 14 and 16 of Constitution of India and deprive the chances of original claimants who come through proper recruitment procedure. As their rights have been crystallized by operation of the settlements. Hence, there is no question of any legitimate expectation being violated.

21. Similarly placed ex-employees filed WP No. 9206/1995 and the batch before the Hon'ble High Court of A.P. and the learned Single Judge allowed the Writ Petitions. Aggrieved by the same WA No. 86/98 and the batch was filed and the division Bench set aside the order of the Single Judge. Thereafter the extemporary employees filed Special Leave Petition No. 11886-11888 of 1998 before the Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India also dismissed the SLP. Therefore reference to the Judgement of the Learned Single Judge in WP No. 9206/97 is of no consequences as the same has already been set aside. The observations made in the Judgements

cannot be relied upon for any purpose what so ever. The question of operation of Sec. 25F would not come into play. Further the issue is covered by various Judgements of Hon'ble Supreme Court of India and various Hon'ble High Courts. Hence, the reference may be ordered that the Petitioner is not entitled for any relief.

22. The Petitioner examined himself as WWI and deposed to the facts as stated in the Petition. He further deposed that he worked for 93 days but he was given certificate only for 55 days before interview. That he worked between 1988-97 for 843 days. That as per the norms he also fits in category B and he speaks about the settlements and he further deposed that on 18-11-93, 800 contract labourers were made permanent by the bank. By then, their existing panels were still not completed. That till date the bank is still continuing with some persons who are from the panel by making pick and choose method and it is also claimed by Assistant Labour Commissioner (C) that some of these employees are still working. In Ex. W10 itself it was mentioned that still temporary employees were continuing against permanent vacancies and sweepers were not being appointed on regular basis, canteen employees were being used for messengerial work, extemporary workers are still being used for performing messengerial work.

23. In the cross examination he deposed that the Branch Manager, Local Head officer branch, State Bank of India, was known to his father who was a Mali in the bank. After introducing him to the Branch Manager he requested him for providing work to the Petitioner as a temporary messenger. Accordingly, he was given appointment as messenger on temporary basis in 1988 for 55 days and later he had worked as messenger on temporary basis now and then. He was not sponsored by any employment exchange. That he used to work depending on the availability of work in the branch. That he applied for appointment as messenger in response to the advertisement issued by the bank in the year 1991. He was called for interview and his name was included in the panel of temporary messengers in the year 1992. Some of the temporary employees whose names were included in the panel were given regular appointment in the bank in order of their seniority in the panel. That he is not having any documents to show that any person who worked for less number of days was given appointment in the bank. He did not work for 240 days in any year in his entire service. That he appeared for interview as per the settlements and the settlements expired on 31.3.97.

24. The Chief Manager (Per & HRD), Sri A. Rama Rao deposed to the facts as stated in the counter, as MWI and also he speaks about the Hon'ble High Court of A.P., Judgement, the appeal to the Hon'ble High Court and the

SLP. In the cross examination he deposed that the settlements and empanelments were for absorption and added that those who could not be absorbed were terminated. He denied that all should have been absorbed. He agreed that no notice or pay in lieu thereof was given. That all these Petitioners were asked not to come. He denied that there are still number of vacancies. He does not know whether Mr. M. Lingam, claimant in ID No. 236/2001 working in Barkatpura branch and Mr. Ravi Kanth in ID No. 59/2001 working in Parishram Bhavan branch.

25. Various Advocates have argued in various batches for Petitioners, Mr. Prasada Rao, Mr. Prabhakar, Mr. Vikas etc. It is argued by Mr. Prabhakar on behalf of Sri S. Ramachandra Rao, Advocate that these Petitioners worked for several years with artificial periodical breaks and they were given hope saying that their cases will be considered for absorption in the services of the Respondent by way of settlements. Instead they were removed from service by oral orders w.e.f. 31-3-1997 on the ground that there are no vacancies to accommodate the claimants, while engaging third parties on temporary basis, apart from reengaging some of the claimants on temporary basis as messengers/non-messengers. The said action of the Respondent is high-handed, unilateral, arbitrary and colourable exercise of power apart from being amounting to unfair labour practice. It is an admitted case of the Respondent that it has 805 branches all over the State whereas the Respondent has 827 branches. That it consists of four modules, Hyderabad, Vijayawada, Visakhapatnam and Tirupathi. That the counsel is appearing for 100 claimants of Hyderabad module. Like wise they are appearing for several other candidates in other modules also for which he is appearing. All these claimants were taken into service in view of the need in the respective branches prior to 1988 as per the instructions of Central Office and Local Head Office. In order to settle the issue of temporary employees and to streamline the same these settlements were entered into in pursuance of the decision taken by the Respondent to give a chance for absorption. There are five settlements, one Memorandum of Understanding, one conciliation proceedings and the impugned proceedings of oral termination. One example may be taken of a Petitioner in ID 58/2000 which was renumbered as ID 77/2002 filed by Mr. V. Maddileti who worked both in messenger cadre and non-messenger cadre from 1987 to 1997 for 1370 days. The break-up figures are certified by the bank that he worked for 78 days before 1988, which is evident from the certificate issued by the bank. He belongs to SC community. He has passed 9th class, though the qualification for the post of messenger is 8th class. That the Petitioner was selected and empanelled by the Respondent in pursuance of the settlements they were made to work with artificial breaks.

Though they were empanelled and given a hope that their cases will be considered for absorption. The same was not considered. On the other hand their services were orally terminated on 31-3-1997 asking them not to attend duties from 1-4-97. Then he mentioned about the 5 settlements entered into between the bank and in the last settlement it is specifically mentioned that the non-messengerial posts shall be filled in before 31-3-1997 before the empanelled list is allowed to lapse. The Government of India had issued a circular dated 16-8-90 wherein it is specifically stated that the concerned authorities have to follow the procedure in the approach paper of regularization who are on the rolls of the bank. Until the problem of existing temporary employees is fully resolved, no bank will be permitted to make any temporary appointments. In spite of the clear cut instructions the authorities did not settle the issue of temporary employees before passing impugned oral orders on the other hand, they are engaging third parties and some of the claimants are still working on temporary basis. In fact he has given the list of atleast 46 candidates who are before this Court still working in Hyderabad module. Vijayawada module there are as many as 26 candidates working, in Tirupathi module 43 are working, even in Visakhapatnam module four are working. Before the 5th settlement take place there was a conciliation proceeding wherein it was specifically agreed, "as regards for filling of messengers posts as already been ordered, the remainder number will be filled before 31-3-1996 and 31-3-1997 on the basis of an understanding that may be reached after ascertaining correct procedure with regard to the number of messenger posts to be created in terms of settlement. Another joint committee will be constituted to review existing norms and reach a fresh settlement which will come into effect from 1-4-1997." And having agreed that coolly dispensed them by oral order on 31-3-1997. The question that there are no vacancies is false. In fact, there are number of vacancies in all the branches numbering to 827. Accordingly, new persons were engaged by the Respondent apart from engaging some of the claimants in the batch of cases on temporary basis after 1-4-1997. In order to show that there are vacancies circular dated 22-11-2002 is filed which says that there are 241 anticipatory vacancies which also says that new candidates were engaged on temporary basis. Sample copies of proceedings of the bank which show that some of the claimants were reengaged after 1-4-97 is also submitted with a separate statement who were engaged after their oral termination and who are continuing till today. In fact, instead of entering into a fresh agreement as settled before the conciliation officer they have simply dismissed which is against all cannons of justice. The above arguments were made by Sri S. Rama Chandra Rao, Sr. Advocate and further more arguments have been advanced by him and several Judgements were cited which will be dealt in due course.

26. Sri S. Prasada Rao, Advocate argued that the Industrial Disputes Act, 1947 is a boon to the industrial development which aims at, (a) Investigation and settlement of Industrial disputes, (b) to keep social justice as a main criteria, (c) Progress of Industry and (d) Harmony and cordial relations. He submits that the in the case of Management of Hotel Imperial, New Delhi and others *Vs.* Hotel Workers Union, AIR 1959 Supreme Court page 1342, it was held that, "Industrial Tribunal would have jurisdiction to grant interim relief also." The applicants are employees of the State Bank of India and they have worked for a period which is noted in the list of cases which are pending before this Court. That the ultimate object of the Industrial Adjudication has been received by all as one of revolutionary import which admits its task not on purely theoretical, abstract, academic grounds adhering to any dogmas, or applying abstract principles, mechanically or under any sub-consciousness pressure preconceived notions, theories or 'isms' but since to evolve working principles for resolving industrial conflict adjusting rival claims of employers and employees in a fair and just manner. The interest of proper judicial enquiry including the collection, collation and analysis of relevant facts. Therefore, it becomes highly significant in industrial matters. The Supreme Court right from *Bharath Banks* case 1950 Supreme Court page 188 down to the latest *Airports Authority* case or to that matter *Steel Authority of India* case 2001 have laid down the importance of the ignorance of the working class and important of their rights restating principles of social justice. The present trend of Labour Courts and Industrial Tribunals are interests of not only employers and employees qua each other but also interests are so wedded that they cannot be separated in all contexts and situations the emphasis that labour is not a commodity but a conscious living individual with aspirations to survive in this world. As observed by Justice Issac in *Federated School Teachers Association of Australia Vs. State of Australia* which was also quoted in the *State of Bombay Vs. Hospital Mazdoor Sabha* case "in dealing with industrial dispute industrial adjudication must be conversant with the current knowledge on the subject they should not ignore the constant currents of life around them for otherwise it would introduce a servious infirmity in.....".

27. He also argued that the Constitution of India wisely engrafted the fundamental rights and Directive Principles for democratic way of life for everyone in Bharat Republic. The poor workmen and common men can secure and realize economic and social freedom only through right to work and right to adequate means of livelihood in just and humane conditions of work, to living wage, a decent standard of life, education and leisure. Article 43(A) 43 Constitution Amendment Act, 1976 enjoins upon the State to secure by suitable legislation or in any other way the participation of workers in the Management of undertakings, establishments or other organizations

engaged in any industry. He further argues that the judicial function of a court therefore, in interpreting the constitutions and the provisions of the Industrial Disputes Act, 1947 requires to build up continuity of socio, economic empowerment to the poor to sustain equality of opportunity and status and the Law should constantly meet the needs and aspirations of the society in establishing the egalitarian social order. Therefore, the concepts engrafted in the Statute require interpretation from that perspectives, without doing violence to the language. Then he further argues and reiterates the facts of the settlements which need not be repeated here. He further argues that the Memorandum of Understanding is not correct, because the last settlement does not provide for lapsing of the empanelled candidates, the bank is obliged for implementation of the empanelled candidates and not for lapsing the panels. That in the case of all the applicants with respect to whom that the principles of fair play, equity and consciousness and justice is required. The workers have fundamental right to live under Article 14, 15 & 16 which can neither waived nor taken away. Since many of the applicants are jobless and have worked for longer periods, upto 18 years, they cannot be deprived of their livelihood and their family lives cannot be shattered. That the State Bank of India is not exempted from the Act *i.e.*, A.P. Shops & Establishments Act, Sec. 2A(2) is therefore applicable to these Petitioners. These arguments need not be repeated here in view of the judgement of *U. Chinnappa Vs. Steel Authority of India* in..... He submits that it was a legitimate expectation of these employees. No doubt, one may not have a right but Courts have recognized that in such cases like these cases a legitimate expectation was created by the bank by taking services of some of the candidates right from 1975 and we are now in 2005. Is it not correct that to presume that by entering into several settlements and agreeing before the conciliation officer that a further settlement may be entered into after 31-3-97 all of a sudden a Memorandum of Understanding is entered into and thousands of people are given a good-bye. All their hopes and legitimate expectations were shattered. That about 35000 candidates were interviewed and only 3500 were selected. It is also estimated that vacancies from 1989 till today there will be more than 4000 vacancies in all the 4 modules and even though all these applicants are considered, they will fall short of total vacancies.

28. The Learned Counsel for the Petitioners Mr. Vikas, Advocate submits and practically repeats the arguments advanced by the other advocates. He further submits that in short, the State Bank of India has committed the following illegalities : 1. Unfair labour practice, vitiated by colourable exercise of power, 2. Impugned oral orders of termination without authority on 31-3-97, 3. The exercise of the said power is violative of article 14 and Sec. 19(2) of the Industrial Disputes Act, 1947, 4. The purpose of entering into settlement was for absorption and it is not as if it's a back

door entry, it was through advertisements and after interviewed more than 30000 candidates they have selected 3500 candidates and by entering into various settlements they have created legitimate expectations of absorption to these poor workmen who have been running around since 1975, the order not to engage is a non-speaking order. Further several of these persons although were terminated are still working. If there is no work how these persons are working? The argument that due to computerization lesser staff is required does not hold good because the work of attenders could only be done by robots which have not yet to come in India, hence, waterboys, sweepers and for odd work, still the services of the attenders are required. Those who were made to understand from years together that they will be absorbed cannot be just thrown out and after all the so-called Memorandum of Understanding is to defeat the purpose of settlements wherein the effected parties are not even consulted and hence oppose to the public policy and hit by Sec. 23 of the Contract Act.

29. I now refer to the cases cited by various Advocates. The following citations are cited by Sri S. Ramachandra Rao, AIR 1991 Supreme Court page 101 wherein a full bench of the Hon'ble Supreme Court was dealing about removal of a permanent employee without assigning any reason, their Lordships held, is arbitrary unfair, unjust and unreasonable and opposed to public policy. He also relied on AIR 1986 Supreme Court page 1571, this deals with the rule empowering the Government Corporation to terminate services of its permanent employees by giving notice or pay in lieu of notice period is opposed to public policy and violative of Article 14, 39(a) and 41. He also relies on AIR 1992 Supreme Court page 248, their Lordships held, that an agreement can be challenged that it is a nullity being opposed to public policy and it can be raised even by a person who had earlier consented to the agreement. They further held that the illegal contract, cannot constitute and effect and accord satisfaction. He also relies on AIR 1980 Supreme Court page 2181 wherein his Lordships held that, "We have, no doubt that the precedents on the point, the principles of industrial law, the constitutional sympathy of Part IV and the sound rules of statutory construction converge to the same point that when a notice intimating termination of an award or settlement is issued the legal import is merely that the stage is set for fresh negotiations or industrial adjudication and until either export ripens into a fresh set of conditions of service the previous award or settlement does regulate the relations between the employer and the employees." He also relied on 1999(5) ALD 1992 (D.B.), General Manager, State Bank of Hyderabad and another Vs. P. Ramulu, wherein their Lordships referred to the circular of the Government of India to all public sector banks which laid down in the approach paper in the recruitment as well as in absorption of temporary employees as follows : "For the staff which is presently on the rolls of

the Banks their services will be regularised in terms of the Approach Paper. For the current requirement banks may utilize their existing panel of temporary employees and in case these employees were not taken from the employment exchanges the Banks would be required to approach the DGE & T directly seeking exemption. Until the problem of existing temporary employees is fully resolved no Bank will be permitted to make any temporary appointments." In that case para 6, all employees who had put in 90 or more days after the cut off date i.e. 1-1-1982 will only be eligible for considering the scheme. The Respondent in the Writ Petition has put in more than 90 days before the said cut off date. Their Lordships held that as per the scheme one time opportunity each a person who had completed 90 days of temporary service as on 1-1-1982 and also after 1-1-1982 shall be regularized by empanelling him for the post. He also referred to Supreme Court employees Welfare Association Vs. Union of India wherein it was held, that it is well settled principle of law that when a special leave petition is summarily dismissed under article 136 of the Constitution by such dismissal this Court does not lay down any law as envisaged by article 141 of the Constitution. He also relied on 1997 (6) Supreme Court cases page 564, which is to the same effect. He also relied on 2003(4) Supreme Court cases page 325 wherein their Lordships held, it is well settled law that in case where SLP is dismissed without assigning any reason that order would not constitute a binding precedent. He also relied on 2003 Supreme Court cases page 231 which reiterate the same. He also relied on AIR 2002 Supreme Court page 3088 wherein their Lordships held, "The High Court and all other courts in the country were no doubt ordained to follow and apply the law declared by this court, but that does not absolve them of the obligation and responsibility to find out the ratio of the decision and ascertain the law, if any, so declared from a careful reading of decision concerned and only thereafter proceed to apply appropriately." He also relied on 2003(7) Supreme Court cases page 197 wherein it was held, "Therefore, while applying the decision to a later case, the court dealing with it should carefully try to ascertain the principle laid down by the previous decision. A decision often takes its colour from the question involved in the case in which it is rendered. The scope and authority of a precedent should never be expanded unnecessarily beyond the needs of a given situation. The only thing binding as an authority upon a subsequent Judge is the principle upon which the case was decided. Statements which are not part of the ratio decidendi are distinguished as obiter dicta and are not authoritative. The task of finding the principle is fraught with difficulty as without an investigation into the facts. It cannot be assumed whether a similar direction must or ought to be made as a measure of social justice. Precedents sub silentio and without argument are of no moment. Mere casual expressions carry no weight at all, nor every passing expression of a Judge, however eminent, can be treated as an ex cathedra

statement having the weight of authority." He also relies on the Judgement of Hon'ble Supreme Court in 1993 Supplementary IV Supreme Court cases 46 Naseem Bano Vs. State of U.P. and Others, wherein their Lordships held, "since no dispute was raised on behalf of respondents 1 to 4 in their reply to the averments made by the appellant in the Writ Petition that 40 per cent of the total number of posts had not been filled by promotion, in as much as the said averments had not been controverted, the High court, should have proceeded on the basis that the said averments had been admitted by respondents." He therefore submits that the Petitioners have alleged in the petition that there were about 1500 vacancies and it has not been controverted, hence, this Court should presume that the said averments about vacancies has been admitted by the bank.

30. He also relies on LLJ 2004 February page 227, wherein it was held, "the Respondent was working as a part time sweeper in the organization of the Petitioner. After fifteen years of service, the Respondent was terminated from service without any notice or pay in lieu thereof. The Labour Court held that a part-time employee also falls within the definition of workman under Section 2(s) of the Industrial Disputes Act, 1947. Therefore, awarded reinstatement with continuity of service and full back wages. The High Court also retreated the findings of the Labour Court and stated that as long as the ingredients of Sec. 2(s) are present it is immaterial whether the employee has been appointed as a regular, permanent/temporary or daily wages, casual or part-time." "He also relied on LLJ 1995 (1) LLJ page 323 wherein the High Court upheld the findings of the Labour Court that the bus driver on an average worked for 20 days in a month but was paid wages for one month. Average working hours 10 to 12 hours and no overtime wages paid. Finding of the Industrial Tribunal that workman has worked 240 days in a calendar year is legal and proper." He also relied on 1995 Supplementary (4) Supreme Court cases pages 11 where their Lordships directed regularisation of services of the Petitioners who had worked for three years including the break till today, shall not be terminated and shall be absorbed in regular vacancies as and when they arise. He also relied on 1991 supplementary (2) SCC page 363 wherein it was held, the change of service rules cannot be made in the prejudice of an employee who was in service prior to the change. He also relied on 1986 Supreme Court page 954 wherein it was held, "such a settlement arrived at by agreement between the employer and workmen otherwise then in the course of conciliation proceedings is binding only on the parties to the agreement as provided in Sec. 18(1) of the Industrial Dispute Act, 1947. Such a settlement is not binding on the other workmen any who are not parties in the settlement." He also relied on 1993(1) SCC page 71 wherein their Lordships considered about legitimate expectations and held as follows: "In contractual sphere as in all other State actions, the State and all its instrumentalities have to

conform to Article 14 of the Constitution of which non-arbitrariness is a significant facet. There is no unfettered discretion in public law. A public authority possesses powers only to use them for public good. This imposes the duty to act fairly and to adopt a procedure which is 'fairplay in action'. Due observance of this obligation as a part of good administration raises a reasonable or legitimate expectation in every citizen to be treated fairly in his interaction with the State and its instrumentalities, with this element forming a necessary component of the decision making process in all State actions. To satisfy this requirement of non-arbitrariness in a State action, it is, therefore, necessary to consider and give due weight to the reasonable or legitimate expectations of the persons likely to be affected by the decision or else that unfairness in the exercise of the power may amount to an abuse or excess of power apart from affecting the bona fides of the decisions in a given case. The decision so made would be exposed to challenge on the ground of arbitrariness. Rule of law does not completely eliminate discretion in the exercise of power, as it is unrealistic, but provides for control of its exercise by judicial review. [Para 8 page 91]"

He also relied on the full bench decision of the Hon'ble Supreme Court in 1992 (4) Supreme Court cases page 118, wherein their Lordships held if for any reason, an adhoc or temporary employee is continued for a fairly long spell the authorities must consider his case for regularisation provided he is eligible and qualified according to the rules and his service record is satisfactory and his appointment does not run counter to the reservation policy of the State. He also relied on 2001(1) LLJ wherein their Lordships held that, "so far as the work-charged employees and casual labour are concerned, the effort must be to regularize them as far as possible and as early as possible subject to their fulfilling the qualifications, if any, prescribed for the post and subject also to availability of work. If a casual labourer is continued for a fairly long spell say two or three years a presumption may arise that there is regular need for his services. In such a situation, if becomes obligatory for the concerned authority to examine the feasibility of his regularization. While doing so, the authorities ought to adopt a positive approach coupled with an empathy for the person. "He also relied on Judgement of the High Court of Patna reported in 2003 III LLJ page 904 wherein their Lordships observed. "All said, the claim of such persons who have remained in the employment of the State for long periods, those who have spent the golden period of their lives in the service of the State, those who with the passage of the time have become eligible for appointment elsewhere cannot be ignored altogether." He also relied on 1995 (2) Supreme Court cases page 326 where the full bench of the Supreme Court held, "In situations where even though a person has no enforceable right yet he is affected or likely to be affected by the order passed by a public authority the courts have evolved the

principle of legitimate expectation. The expression which is said to have originated from the Judgement of Lord Denning in *Schmidt Vs. Secy. of State for Home Affairs* is now well established in public law. In *Attorney General of Hong Kong Vs. Ng Yuen Shih* Privy Council applied this principle where expectations were "based upon some statement or undertaking by or on behalf of, the public authority" and observed, "Accordingly 'legitimate expectations' in this context are capable of including expectations which go beyond enforceable legal rights, provided they have some reasonable basis. A person may have a legitimate expectation of being treated in a certain way by an administrative authority even though he has no legal right in, private law to receive such treatment." He also relied on 1998(7) Supreme Court cases page 66 wherein their Lordships held, the doctrine of legitimate expectation has its genesis in the field of administrative law. The Government and its Departments, in administering the affairs of the country, are expected to honour their statements of policy or intention and treat the citizens with full personal consideration without any iota of abuse of discretion. The policy statements cannot be disregarded unfairly or applied selectively. Continuing their Lordships further held, though the doctrine of legitimate expectation is essentially procedural in character and assures fair play in administrative action, it may, in a given situation, be enforced as a substantive right. The doctrine of legitimate expectation can be invoked if the decision which is challenged in the court has some person aggrieved either (a) by altering rights or obligations of that person which are enforceable by or against him in private law; or (b) by depriving him of some benefit or advantage which either (i) he had in the past been permitted by the decision-maker to enjoy and which he can legitimately expect to be permitted to continue to do until there has been communicated to him some rational grounds for withdrawing it on which he has been given an opportunity to comment, or (ii) he has received assurance from the decision-maker that it will not be withdrawn without giving him first an opportunity of advancing reason for contending that it should not be withdrawn. Indian scenario in the field of legitimate expectation is not different. The question whether the expectation and the claim is reasonable or legitimate, is a question of fact in each case. This question had to be determined not according to the claimants' perception but in larger public interest." He also relied on 1997 7 SCC 592 where in it was held that the selected industries (Respondents) with which the agreements were entered into by the State Government legitimately expect that the renewal clause should be given effect to in usual manner and according to past practice unless there is any special reason not to adhere to such practice. The doctrine of "legitimate expectation" has been judicially recognized by the Supreme Court. The doctrine of "legitimate expectation" operates in the domain of public law and in an appropriate case, constitutes a substantive and enforceable right. He

also relied on 1993 3 SCC 259 where in it is held that - the law must therefore be now taken to be well-settled that procedure prescribed for depriving a person of livelihood must meet the challenge of Article 14 and such law would be liable to be tested on the anvil of article 14 and the procedure prescribed by a statute or statutory rule or rules or orders affecting the civil rights or result in civil consequences would have to answer the requirement of Article 14. So it must be right, just and fair, not arbitrary, fanciful or oppressive. There can be no distinction between a quasi-judicial function and an administrative function for the purpose of principles of natural justice is calculated to secure justice or to put it negatively, to prevent miscarriage of justice, it is difficult to see why it should be applicable only to quasi judicial inquiry and not to administrative inquiry. It must logically apply to both. Therefore, fair play in action requires that the procedure adopted must be just fair and reasonable. The manner of exercise of power and its impact on the rights of the person affected would be in conformity with the principles of natural justice. Article 21 clothes life with liberty, dignity of person with means of livelihood without which the glorious content of dignity of person would be reduced to animal existence. When it is interpreted that the colour and content of procedure established by law must be in conformity with the minimum fairness and processual justice, it would relieve legislative callousness despising opportunity of being heard and fair opportunities of defence. Article 14 has a pervasive processual potency and versatile quality, equalitarian in its soul and allergic to discriminatory dictates. Equality is the antithesis of arbitrariness. It is, thereby, conclusively held by this court that the principles of natural justice are part of Article 14 and the procedure prescribed by law must be just, fair and reasonable. He also relies on AIR 1991 Supreme Court page 101 wherein it was observed "the right to life includes right to livelihood. Therefore cannot hand on to the fancies of the individuals in authority. The employment is not a bounty from them nor can it survive at their mercy. Income is the foundation of many fundamental rights and when work is the sole source of income the right to work becomes as much fundamental. Fundamental rights can ill-afford to be consigned to the limbo of undefined premises and uncertain applications. That will be mockery of them.

Mr. Vikas, appearing for various Petitioner cited various Judgements some of them are 1998 7 SCC page 804 wherein the Hon'ble Supreme Court directed that the contingent staff of income tax Department some of them working from 8 years, directions issued to pay such workmen at the rate equivalent to minimum pay in the pay scale of the regularly employed workers and to frame scheme on rational basis for their absorption. He also relied on AIR 1990 Supreme Court page 2228 where in it was held that the Kerala water supply and civil water

authority shall immediately regularize the services of public health Department employees as per its resolution dated 30-1-1987 without waiting for the State Government approval. They also directed those who have put in less than one year service age bar may be waived etc. Several more citations he filed about regularisation. He also relied on 1996 1 Service law reporter Supreme Court of INDIA page 56 wherein it was held, workman in the employment in the state of forest Department for 5 to 6 years and in each year they worked for a period ranging 100 to 330 days, workmen employed under the schemes at hand had been so done. To advance objects having permanent basis failure to regularize them amounts to unfair labour practice and various other judgements and further added to his arguments that by further arguing that these cases are the most fit for regularization as some of them are working from 1975.

Mr. Prasad also relied on 2005 1 LLJ page 89 SBI Vs TN. Jaya Ram where in it was held in Writ Appeal held that the learned single judge held that the petitioner had not worked continuously for a period 30 days. The learned single judge relied on category C of the settlement to arrive at the said conclusion. Their lordships allowed the Writ Appeal on the ground, in view of the fact that the Petitioner falls short of the required 30 days by 4 days, the Petitioner cannot seek absorption in a permanent capacity in the employment of the bank".

Therefore in conclusion Shri Vikas, Advocate, Shri Prabhakar Rao, Advocate vehemently that these are the most fit cases wherein a direction should be given to absorb these Petitioners who have been unceremoniously dismissed on 1-4-1997 and some of them are still continuing and it is not only a question on industrial law but also legitimate expectations created in these Petitioners who worked since more than two decades.

It is argued by the Learned Counsel for Respondent Shri B.G. Ravinder Reddy, Advocate and Smt. Lalita Kumari, Advocate that the Hon'ble CGIT-cum-Labour court is fully empowered to decide the disputes which are pending before it in the LCIDs and ID. That the Petitioners are casual employees who worked at the branches for short periods at the instance of concerned Branch Manager who had no jurisdiction to appoint them. They are not employees of the State Bank of India as their entry into the bank was not as per the selection procedure. The daily wagers/casual workers were not selected by a process through which regular employees were recruited. That the Petitioners were engaged by the concerned branch managers to meet the exigencies of work at intermittent intervals and they cannot be termed as employees of the bank on temporary basis in any identified post or vacancy. That the Petitioners have no statutory right to seek any relief under the provisions of

the Industrial Disputes Act. The Petitioners have not put in continuous service of 240 days in a calendar year as required under the Act. It is to be examined whether they stand a chance for absorption as per the settlements. That the Petitioners failed to implead the All India SBI Staff Federation as party to the dispute before this court to seek interpretation of the settlements. As such, the cases are bad for non-joinder of necessary party. That the empanelled candidates are in thousands and the vacancies are less than 100 each year. The SBI has absorbed messengers and Non-messengers totaling to more than 1000. That the Hon'ble Single Judge's Judgement that the settlement are repugnant to Sec. 23 of the Indian Contract Act and the Memorandum of Understanding and the Theory of Legitimate Expectations has no place in the settlements. That in terms of the 5 settlements, the 1989 and 1992 panels were kept alive upto 31st March, 1997 and thereafter they lapsed. Administrative instructions were issued to all branches directions not to engage temporary employees from 1-4-1997 as there were no vacancies. That the question of regularization in any service including any Government service may arise in two contingencies viz. if on any available clear vacancies which are of a long duration appointment are made on adhoc basis or daily wage basis by a competent authority and are continued from time to time and if their services are required by the Bank. In any case, backdoor entries for filling up such vacancies have got to be strictly avoided. There would never arise any occasion for regularizing the appointment of an employee whose initial entry itself is tainted and is in total breach of the requisite procedure of recruitment and especially when there is no vacancy on which such an initial entry of the candidate could never be effected.

They also relied on several cases, in particular, AIR 1991 page 1612 where in the Hon'ble Supreme Court held that the mere inclusion of a candidate's name in the merit list does not confer any right to be selected. Some vacancies remaining unfilled after process of selection finally closed - candidate not appointed - No discrimination. They also further held ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection, they do not acquire any right to the post. They also relied on 1997 6 SSC page 584 Syndicate Bank Vs Sankarpal wherein it was held that if a waiting list is for specific period the wait-listed candidates do not have any right once the list lapses. They also relied on 1997 4 SSC 283 Sanjay Vs. Union of India where the Hon'ble Supreme Court held that wait-listed candidates have no right for appointment where there are no vacancies. He also relied on AIR 1992 Supreme Court page 2070 where it was held - Stop gap appointees or Temporary appointees do not have any right for continuous or for regularization.

Smt Lalitha Kumari, advocate for Respondent relied on 2004 Vol. IV SLT page 947 which was a judgement from Madras High Court where in the Hon'ble Supreme Court held that appointment held in violation of mandatory provisions of statutes ignoring minimum education qualifications, wholly illegal. Taking recoast to regularization cannot cure such illegality.

But both of them mainly relied on the Judgement of Hon'ble High Court of Orissa in OJC 9093 of 1997 in which it was held that only those casual workers who were in the waiting list of the bank (panels) were eligible to be regularized against the vacancies of the bank. As the select list came to an end on 31-3-1997 are not entitled to get any relief. The judgement of the Orissa High Court dated 18-9-1998 was confirmed by the Hon'ble Supreme Court on 17-6-1999 in the above case in SLP (CC) 3082/99.

He further argued that even those who have completed 240 days also cannot claim regularization as the very entry was irregular and they got any right it is through the agreements only and 1992 2LLJ page 52 Supreme Court held that any person who have completed 240 days cannot claim regularization only such grounds. Such regularization is jeopardizes the larger public interests. So they argue even those candidates 240 days also do not stand any chance. And as the Orissa High Court has dealt with these agreement which is an all-India agreement and the Hon'ble SC has dismissed the SLP on merits, hence the Petitioners are not entitled for any relief. Accordingly, the Petitions may be dismissed.

As stated in the beginning, these cases have got a chequered history starting from 1975 and now we are in 2005. To sum up the entire facts in a nut shell, the entry of these persons was as casual employees. Seeing the enormity of the situation the SBI and All India SBI staff federation entered into various agreements. The candidates were called for interview and were empanelled. The last agreement was dated 30-7-1996 (Ex. M6) which was to lapse on 31-3-1997. Then there was a Memorandum of understanding dt. 27-2-1997 that the panel of temporary employees, daily wagers and casual employees will lapse on 31-3-1997. There was an conciliation dated 9-6-1995 vide Ex. M5 wherein before the conciliation officer it was agreed that another joint committee will be constituted to review the existing norms and reach fresh settlement which will come into effect from 1-4-97. No such joint committee was constituted nor any fresh settlement came into effect from 1-4-1997. Carrot was dangled before the workers for number of years creating reasonable expectations but instead the bank has in order to avoid future complications gave a good-bye to all the employees on 31-3-1997. Their hopes were further raised by the Judgement of the High Court which held "the Petitioners/

employees who were on duty as on 31-3-97 shall be deemed to be on duty and shall be entitled to all the benefits of such a post and they shall be immediately appointed if any posts are available or creating some supernumery posts, within 3 months from today failing which the bank shall pay them all the benefits to which they were entitled as on that date, till they are absorbed". Infact the Hon'ble single judge stated in the Judgement which I quote "Mr. S. Ramachandra Rao, Learned Sr. Counsel appearing for the Petitioners have never controverted such a factual and legal position. Such a dispute in any form existing and even apprehended definitely could be a subject of reference to the board of settlement, to a court for enquiry, to a Labour Court or Industrial Tribunal for adjudication". It is also his apprehension genuinely expressed that driving the petitioners to such forums for such disputes could be nothing less then pushing the hapless and helpless prey into the greedy and hungry mout of the wild life".

Be that may be so. The above Judgement was set aside by writ appeals by division bench holding that the matter has to be dealt with and settled by the parties under the provisions of the Industrial Disputes Act, 1947 and not by resorting to the writ jurisdiction of this court. Against which a Special Leave Petitions were filed which were dismissed.

The position now is that under the Industrial Disputes Act, 1947 those who have completed 240 days in a year has some right as notice or notice pay and retrenchment compensation. But all of them entered into settlements, no doubt, these persons are not members of the All India State Bank of India Staff Federation. But those who have worked even for 30 days in a calendar year or 70 days in 36 calendar months and various other categories could not have got any rights but for the settlements entered into by All India State bank of India Staff Federation and even those who have completed 240 days in a year their rights also not merged due to these settlements. But for the settlements except those who have completed 240 days in a year others do not have any right under the ID Act. And this is a all India problem and unfortunately for the Petitioners the same agreement dated 30-7-1996 marked as Ex. M6 herein, was discussed by the Orissa High Court in OJC No 9093 of 1997 (WP) and batch, which was to lapse on 31-3-1997. Where in it was held "the currency of the arrangements made on the basis of the impugned decisions / settlements has come to an end on 31-3-1997. It is pleaded by the petitioner that the modalities may be followed in future though new norms have not been fixed. We do not think it necessary to go into this hypothetical questions.....". Against Which SLP was filed in the

Hon'ble SC which dismissed saying the SLP is dismissed on merits. In fact, all these references or 2(A)(2) are about their termination. For example the reference is "Whether the action of the management of State Bank of India, Local Head Office, Hyderabad in terminating the services of Sri P. Anil Kumar, Temporary/Non-Messenger, STATE BANK OF INDIA w.e.f. 31-3-1997 is justified or not? If not, what relief the applicant is entitled?" Actually if they had any grievance that the bank had agreed vide minutes of conciliation proceedings dated 9-6-1995, vide Ex. M5, they should have approached conciliation officer raising a dispute that no joint committee was constituted to review the existing norms and reach a fresh settlement which will come into effect from 1-4-1997. As the Hon'ble High Court of Orissa also stated in the end of the Judgement, it goes without saying if the Petitioners feel aggrieved about the norms when communicated, the same can be questioned before the appropriate forum/authority. The reference here is whether termination is justified or not.

I have given serious thoughts as it involves about 700 persons their families and also a human problem although one may feel much by the number of persons involved and the great expectations raised but justice has to be rendered as per law. Therefore, in view of the Judgement of the High Court of the Orissa confirmed by the Hon'ble Supreme Court on merits when the SLP was dismissed on merits, I have no options but to hold the termination of services of Sri Anil Kumar and 85 others w.e.f. 31-3-1997 is justified and the Petitioners are not entitled to any relief.

Before parting with the case, I feel it apt to direct the Respondent "Which is State under Article 12 of the Constitution of India" to take into consideration the plight of the poor employees who are temporary daily wages / casual labourers and provide them suitable avenues depending upon the vacancy position without going into the technicalities of the expiry of the term of settlement as justice always be tempered with mercy. I was constrained to follow the settled law positions, but my conscience prompted me to issue the above directions, which I hope and trust will be honoured by the Respondent bank. While so considering, the age restriction as also sponsoring through Employment Exchange may have to be relaxed on equitable grounds as the above category employees have spent long time with the Respondent with a fond hope of regularization of their services.

As I have to follow the settled law & the position in which I found myself while delivering this award it prompted me to describe the condition of these petitioners as depicted in the poem of Faiz Ahmed Faiz quoted at the beginning of the Award.

Typed by LDC to my dictation, corrected and pronounced by me on this the 17th day of May 2005.

E. ISMAIL, Presiding Officer

Appendix of Evidence

&

Documents marked for Petitioners

ID 5 of 2002

WW1 : Shri K Rama Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Interview call letter

Ex. W3 : Service Certificate

Ex. W4 : Service Certificate

Ex. W5 : Bank circular to employment exchange

Ex. W6 : Bank circular to its regional branches

ID 6 of 2002

WW1 : Shri P. Ravi

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel List

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate

Ex. W7 : Service Certificate

Ex. W8 : Bank circular to employment exchange

Ex. W9 : Bank circular to its regional branches

ID 7 of 2002

WW1 : Shri T. Baburao

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel List

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate

Ex. W7 : Service Certificate

Ex. W8 : Service Certificate

Ex. W9 : Bank circular to employment exchange

Ex. W10 : Bank Circular to its regional branches

ID 8 of 2002

WW1 : Shri B Adishesudu

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Interview Call Letter

Ex. W4 : Empanel List

Ex. W5 : Service Certificate

Ex. W6 : Bank circular to employment exchange

Ex. W7 : Bank Circular to its regional branches		Ex. W3 : Service Certificate	Ex. W4 : Service Certificate
ID 10 of 2003		Ex. W5 : Bank circular to employment exchange	Ex. W6 : Bank circular to its regional branches
WW1 : Shri M Krishnudu		ID 16 of 2002	
MW1 : Shri R Prakash Babu		WW1 : Shri M. Yacob	
Ex. W1 : Service Certificate	Ex. W2 : Notification of the bank	MW1 : Shri R Prakash Babu	
Ex. W3 : Empanel List		Ex. W1 : Service Certificate	Ex. W2 : Notification of the bank
ID 11 of 2001		Ex. W3 : Empanel List	
WW1 : Shri A. Ramulu		ID 18 of 2002	
MW1 : Shri R Prakash Babu		WW1 : Shri K Chandrasekhar	
Ex. W1 : Notification of the bank	Ex. W2 : Interview Call Letter	MW1 : Shri R Prakash Babu	
Ex. W3 : Empanel List	Ex. W4 : Service Certificate	Ex. W1 : Marks Memo	Ex. W2 : Service Certificate
Ex. W5 : Service Certificate	Ex. W6 : Service Certificate	Ex. W3 : Service Certificate	Ex. W4 : Statement of particulars of temporary employees
Ex. W7 : Bank Circular to employment exchange	Ex. W8 : Bank Circular to its regional branches		
ID 12 of 2001	dt. 14-7-99	ID 22 of 2002	
WW1 : Shri G. Koteswaramma		WW1 : Shri J Anandarao	
MW1 : Shri R Prakash Babu		MW1 : Shri R Prakash Babu	
Ex. W1 : Notification of the bank	Ex. W2 : Empanel List	Ex. W1 : Service Certificate	Ex. W2 : Notification of the bank
Ex. W3 : Service Certificate	Ex. W4 : Service Certificate	Ex. W3 : Empanel List	
Ex. W5 : Bank Circular to employment exchange	Ex. W6 : Bank Circular to its regional branches	ID 23 of 2002	
ID 13 of 2001		WW1 : Shri K Vijay Kumar	
WW1 : Shri P. V. Bhasker Rao		MW1 : Shri R Prakash Babu	
MW1 : Shri R Prakash Babu		Ex. W1 : Service Certificate	Ex. W2 : Notification of the bank
Ex. W1 : Notification of the bank	Ex. W2 : Service Certificate	Ex. W3 : Empanel List	
Ex. W3 : Bank Circular to employment exchange	Ex. W6 : Bank Circular to its regional branches	ID 24 of 2002	
ID 13 of 2003		WW1 : Shri K Paul Raju	
WW1 : Shri K Prabhakar Rao		MW1 : Shri R Prakash Babu	
MW1 : Shri R Prakash Babu		Ex. W1 : Service Certificate	Ex. W2 : Notification of the bank
Ex. W1 : Service Certificate	Ex. W2 : Service Certificate	Ex. W3 : Interview call letter	Ex. W4 : Empanel List
Ex. W3 : Service Certificate		Ex. W5 : Service Certificate	Ex. W6 : Bank Circular to employment exchange
ID 14 of 2001		Ex. W7 : Bank circular to its regional branches	
WW1 : Shri S. Sarojini		ID 25 of 2002	
MW1 : Shri R Prakash Babu		WW1 : Shri B Subba Rao	
Ex. W1 : Notification of the bank	Ex. W2 : Service Certificate	MW1 : Shri R Prakash Babu	
Ex. W3 : Bank Circular to employment exchange	Ex. W4 : Bank circular to its regional branches	Ex. W1 : Service Certificate	Ex. W2 : Notification of the bank
ID 15 of 2001		Ex. W3 : Empanel List	
WW1 : Shri M. Seshagirao		ID 26 of 2002	
MW1 : Shri R Prakash Babu		WW1 : Shri KV Subbarao	
Ex. W1 : Notification of the bank	Ex. W2 : Empanel List	MW1 : Shri R Prakash Babu	

Ex. W1 : Service Certificate Ex. W2 : Notification of the Bank
 Ex. W3 : Interview call letter Ex. W4 : Empanel List
 Ex. W5 : Service Certificate Ex. W6 : Notification of the bank in year 1999

Ex. W7 : Bank audit report

ID 27 of 2002

WW1 : Shri G. Venkataramana

MW1 : Shri R. Prakash Babu

Ex. W1 : Notification of the bank Ex. W2 : Interview call letter

Ex. W3 : Service Certificate Ex. W4 : Service Certificate

Ex. W5 : Service Certificate Ex. W6 : Bank Circular to employment exchange

Ex. W7 : Bank circular to its regional branches

ID 29 of 2003

WW1 : Shri Md. Malik

MW1 : Shri R. Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel list

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate

ID 31 of 2003

WW1 : Shri K. Prabhakar Rao

MW1 : Shri R. Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel list

ID 33 of 2003

WW1 : Shri D. Dhananjayulu

MW1 : Shri R. Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

ID 40 of 2002

WW1 : Shri G. Samuel

MW1 : Shri R. Prakash Babu

ID 61 of 2001

WW1 : Shri J. Subrahmanyeshwar Rao

MW1 : Shri R. Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Empanel list

Ex. W3 : Service Certificate

Ex. W4 : Service Certificate

Ex. W5 : Bank circular to emp. exchange

Ex. W6 : Circular of the bank to regional branches

ID 62 of 2001

WW1 : Shri N. Gandhi Prasad

MW1 : Shri R. Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Empanel list

Ex. W3 : Service Certificate

Ex. W4 : Letter of emp. exchange to bank

Ex. W5 : Bank circular to employment exchange

Ex. W6 : Bank circular to its regional branches

ID 63 of 2001

WW1 : Shri K. Yesu

MW1 : Shri R. Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Empanel list

Ex. W3 : Service Certificate

Ex. W4 : Service Certificate

Ex. W5 : Bank circular to employment exchange

Ex. W6 : Bank circular to its regional branches

ID 63 of 2002

WW1 : Shri G. Abraham

MW1 : Shri R. Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel list

ID 64 of 2001

WW1 : Shri T. Ramesh

MW1 : Shri R. Prakash Babu

Ex. W1 : Appointment order dated 22-12-1987

Ex. W2 : Service Certificate

Ex. W3 : Service Certificate

ID 64 of 2002

WW1 : Shri M. Mallikarjuna Rao

MW1 : Shri R. Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Interview call letter

Ex. W4 : Empanel list

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate
Ex. W7 : Service Certificate
Ex. W8 : Bank circular to employment exchange
Ex. W9 : Bank circular to its regional branches

ID 65 of 2001

WW1 : Shri P. Janardhan Rao
MW1 : Shri R. Prakash Babu
Ex. W1 : Notification of the bank
Ex. W2 : Interview call letter
Ex. W3 : empanel list
Ex. W4 : Service Certificate
Ex. W5 : Service Certificate
Ex. W6 : Bank circular to employment exchange
Ex. W7 : Bank circular to its regional branches

ID 65 of 2002

WW1 : Shri Y. Deena Raju
MW1 : Shri R. Prakash Babu
Ex. W1 : Notification of the bank
Ex. W2 : empanel list
Ex. W3 : Service Certificate
Ex. W4 : Service Certificate
Ex. W5 : Service Certificate
Ex. W6 : Service Certificate
Ex. W7 : Bank circular to employment exchange
Ex. W8 : Bank circular to its regional branches

ID 66 of 2001

WW1 : Shri Ch. Kumari
MW1 : Shri R. Prakash Babu
Ex. W1 : Service Certificate
Ex. W2 : Notification of the bank
Ex. W3 : empanel list

ID 66 of 2002

WW1 : Shri P. Subramanyeswarao
MW1 : Shri R. Prakash Babu
Ex. W1 : Notification of the bank
Ex. W2 : Interview call letter
Ex. W3 : Empanel list
Ex. W4 : Service Certificate
Ex. W5 : Service Certificate
Ex. W6 : Service Certificate
Ex. W7 : Service Certificate
Ex. W8 : Service Certificate

Ex. W9 : Bank circular to employment exchange
Ex. W10 : Bank circular to its regional branches

ID 67 of 2001

WW1 : Shri K. Krishna Rao
MW1 : Shri R. Prakash Babu
Ex. W1 : Notification of the bank
Ex. W2 : Interview call letter
Ex. W3 : empanel list
Ex. W4 : Service Certificate
Ex. W5 : Service Certificate
Ex. W6 : Bank circular to employment exchange
Ex. W7 : Bank circular to its regional branches

ID 68 of 2001

WW1 : Shri S. Koteswar Rao
MW1 : Shri R. Prakash Babu
Ex. W1 : Notification of the bank
Ex. W2 : Interview call letter
Ex. W3 : empanel list
Ex. W4 : Service Certificate
Ex. W5 : Service Certificate
Ex. W6 : Service Certificate
Ex. W7 : Bank circular to employment exchange
Ex. W8 : Bank circular to its regional branches

ID 68 of 2002

WW1 : Shri Bandi Raju
MW1 : Shri R. Prakash Babu
Ex. W1 : Service Certificate
Ex. W2 : Notification of the bank
Ex. W3 : Interview call letter
Ex. W4 : Bank circular to employment exchange
Ex. W5 : Bank circular to its regional branches

ID 69 of 2001

WW1 : Shri G. Sudhakar Rao
MW1 : Shri R. Prakash Babu
Ex. W1 : Notification of the bank
Ex. W2 : empanel list
Ex. W3 : Service Certificate
Ex. W4 : Service Certificate
Ex. W5 : Bank circular to employment exchange
Ex. W6 : Bank circular to its regional branches

ID 69 of 2002

WW1 : Shri Y. V. S. Prasad

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Application of petitioner against Ex. W1

Ex. W3 : Petition of WW1 to Branch Manager

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

ID 70 of 2001

WW1 : Shri M Kameshwar Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Interview call letter

Ex. W3 : empanel list

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Bank circular to emp. exchange

Ex. W7 : Bank circular to regional branches

ID 71 of 2001

WW1 : Shri G Thomas

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Interview call letter

Ex. W3 : empanel list

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Bank circular to employment exchange

Ex. W7 : Bank circular to its regional branches

ID 73 of 2002

WW1 : Shri P. Venkateswara Rao

MW1 : Shri R Prakash Babu

Ex. W1 : & W1A are Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : empanel list

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate

Ex. W7 : Bank circular to employment exchange

Ex. W8 : Bank circular to its regional branches

ID 74 of 2002

WW1 : Shri E Balaiiah

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : empanel list

ID 112 of 2002

WW1 : Shri John Babu

MW1 : Shri R Prakash Babu

Ex. W1 : Study certificate

Ex. W2 : Service Certificate

Ex. W3 : Caste Certificate

Ex. W4 : Transfer Certificate

Ex. W5 : empanel list

ID 116 of 2001

WW1 : Shri M Venkateshwar Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Service Certificate

Ex. W3 : Service Certificate

ID 117 of 2001

WW1 : Shri B Anjayya

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Bank's circular to emp. exschange

Ex. W4 : Bank audit report

ID 118 of 2001

WW1 : Shri Ch. Jaikumar

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : empanel list

Ex. W4 : Service Certificate

Ex. W5 : Bank circular to employment exchange

Ex. W6 : Bank circular to its regional branches

ID 119 of 2001

WW1 : Shri K Ramanjaneyulu

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Interview call letter

Ex. W4 : Bank notification to exchange

Ex. W5 : Bank audit report

ID 120 of 2001

WW1 : Shri V Varaprasad Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : empanel list

Ex. W3 : Service Certificate

ID 121 of 2001

WW1 : Shri D Ramaiah

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : empanel list

Ex. W4 : Service Certificate

Ex. W5 : Bank circular to employment exchange

Ex. W6 : Bank audit report

ID 130 of 2002

WW1 : Shri M Ananda Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Service Certificate

Ex. W3 : empanel list

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate

Ex. W7 : Bank circular to employment exchange

Ex. W8 : Bank audit report of the bank

ID 132 of 2002

WW1 : Shri D Anjunarao

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : empanel list

Ex. W3 : Service Certificate

Ex. W4 : Service Certificate

Ex. W5 : Bank circular to emp. exchange

ID 135 of 2001

WW1 : Shri P. Venkateshwar Rao

MW1 : Shri R Prakash Babu

Ex. W1 : List of working days in various branches

Ex. W2 : Transfer Certificate

Ex. W3 : to W16 are Service Certificates

Ex. W17 : is Notification of the bank

ID 136 of 2001

WW1 : Shri M Nagabushan Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : empanel list

Ex. W4 : Bank circular to employment exchange

Ex. W5 : Bank circular to its regional branches

ID 137 of 2001

WW1 : Shri J Prasad

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : empanel list

Ex. W3 : to W9 are Service Certificates

ID 138 of 2001

WW1 : Shri BDSKV Hanumantha Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Service Certificate

Ex. W3 : empanel list

Ex. W4 : Service Certificate

Ex. W5 : Bank circular to its regional branches

ID 139 of 2001

WW1 : Shri MN Nancharaiiah

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Service Certificate

Ex. W3 : Service Certificate

ID 140 of 2001

WW1 : Shri K Adisesludu

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Service Certificate

Ex. W3 : Service Certificate

Ex. W4 : Service Certificate

ID 141 of 2001

WW1 : Shri P Kameshwar Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : empanel list

Ex. W3 : Service Certificate

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate

Ex. W7 : Bank circular to employment exchange

Ex. W8 : Bank circular to its regional branches

ID 210 of 2002

WW1 : Shri NV Balakrishna Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : empanel list

ID 211 of 2002

WW1 : Shri A.V. Apparao

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : empanel list

ID 212 of 2002

WW1 : Shri B.V. Ramana Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Service Certificate

Ex. W3 : Service Certificate

Ex. W4 : empanel list

Ex. W5 : Service Certificate

Ex. W6 : Marks Memo

Ex. W7 : Transfer Certificate

Ex. W8 : community certificate

Ex. W9 : Nativity Certificate

Ex. W10: employment card

ID 213 of 2001

WW1 : Shri G Srinu

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Interview call letter

Ex. W3 : Service Certificate

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Bank circular to employment exchange

Ex. W7 : Bank circular to its regional branches

ID 214 of 2001

WW1 : Shri M.N. Nancharaiiah

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Service Certificate

Ex. W3 : Service Certificate

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate

ID 214 of 2002

WW1 : Shri K. Rajendra Prasad

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : empanel list

ID 215 of 2001

WW1 : Shri K. Nageswararao

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Service Certificate

Ex. W3 : Service Certificate

Ex. W4 : Notification of the bank to emp. exchange

Ex. W5 : Bank circular to its regional branches

ID 216 of 2001

WW1 : Shri B Noble

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : Interview call letter

Ex. W3 : empanel list

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate

Ex. W7 : Service Certificate

Ex. W8 : Bank circular to employment exchange

Ex. W9 : Bank circular to its regional branches

ID 217 of 2001

WW1 : Shri V Muthaiah

MW1 : Shri R Prakash Babu

Ex. W1 : Notification of the bank

Ex. W2 : empanel list

Ex. W3 : Service Certificate

Ex. W4 : Service Certificate

Ex. W5 : Service Certificate

Ex. W6 : Service Certificate

Ex. W7 : Service Certificate

Ex. W8 : Bank circular to employment exchange

Ex. W9 : Bank circular to its regional branches

ID 218 of 2001

WW1 : Shri K. Adilaxmi

MW1 : Shri R Prakash Babu
 Ex. W1 : Notification of the bank
 Ex. W2 : Emp. exchange letter
 Ex. W3 : Empanel list
 Ex. W4 : to W11 are Service Certificates
 Ex. W12: Bank circular to employment exchange
 Ex. W13: Bank circular to its regional branches
ID 219 of 2001
 WW1 : Shri P. Gandhi
 MW1 : Shri R Prakash Babu
 Ex. W1 : Notification of the bank
 Ex. W2 : Service Certificate
 Ex. W3 : Empanel list
 Ex. W4 : Service Certificate
 Ex. W5 : Bank circular to employment exchange
 Ex. W6 : Bank audit report
ID 221 of 2002
 WW1 : Shri P. Nageswara Rao
 MW1 : Shri R Prakash Babu
 Ex. W1 : Service Certificate
 Ex. W2 : Notification of the bank
 Ex. W3 : Empanel list
ID 232 of 2001
 WW1 : Shri A Rajarao
 MW1 : Shri R Prakash Babu
 Ex. W1 : Notification of the bank
 Ex. W2 : Interview call letter
 Ex. W3 : Service Certificate
 Ex. W4 : Service Certificate
 Ex. W5 : Bank circular to employment exchange
 Ex. W6 : Bank circular to its regional branches
ID 232 of 2002
 WW1 : Shri TVV. Satyanarayana
 MW1 : Shri R Prakash Babu
 Ex. W1 : Service Certificate
 Ex. W2 : Notification of the bank
 Ex. W3 : Empanel list
ID 233 of 2002
 WW1 : Shri GN. Malleswarao
 MW1 : Shri R Prakash Babu
 Ex. W1 : Service Certificate
 Ex. W2 : Notification of the bank

Ex. W3 : Empanel list
ID 234 of 2002
 WW1 : Shri K. Venkataratnam
 MW1 : Shri R Prakash Babu
 Ex. W1 : Service Certificate
 Ex. W2 : Notification of the bank
 Ex. W3 : Empanel list
ID 239 of 2002
 WW1 : Shri M. Chiranjeevi
 MW1 : Shri R Prakash Babu
 Ex. W1 : Service Certificate
 Ex. W2 : Notification of the bank
 Ex. W3 : Empanel list
ID 244 of 2002
 WW1 : Shri M Immanuel
 MW1 : Shri R Prakash Babu
 Ex. W1 : Service Certificate
 Ex. W2 : Notification of the bank
ID 245 of 2002
 WW1 : Shri KS Prem Kumar
 MW1 : Shri R Prakash Babu
 Ex. W1 : Community Certificate
 Ex. W2 : Marks Momo
 Ex. W3 : Transfer Certificate
 Ex. W4 : Employment card
 Ex. W5 : Service Certificate
 Ex. W6 : Service Certificate
 Ex. W7 : Service Certificate
 Ex. W8 : Empanel list
 Ex. W9 : Service Certificate
ID 246 of 2002
 WW1 : Shri M Moshe
 MW1 : Shri R Prakash Babu
 Ex. W1 : Service Certificate
 Ex. W2 : Notification of the bank
 Ex. W3 : Empanel list
 Ex. W4 : to W12 are Service Certificates
ID 253 of 2002
 WW1 : Shri M Vijaya Raja
 MW1 : Shri R Prakash Babu
 Ex. W1 : Service Certificate
 Ex. W2 : Notification of the bank

Ex. W3 : empanel list

ID 254 of 2002

WW1 : Shri V Nagabak

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Service Certificate

Ex. W3 : Service Certificate

ID 276 of 2002

WW1 : Shri J Sambasiva Rao

WW2 : Shri K Kishore

WW3 : Shri K Padma Rao

WW4 : Shri U Rama Krishna

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel list

Ex. W4 : Service Certificate

Ex. W5 : Bank circular to employment exchange

Ex. W6 : Bank circular to its regional branches

Ex. W7 : Service Certificate

Ex. W8 : Notification of the bank

Ex. W9 : Empanel list

Ex. W10: Service Certificate

Ex. W11: Service Certificate

Ex. W12: Service Certificate

ID 283 of 2002

WW1 : Shri M. Bhaskar Rao

MW1 : Shri R. Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel list

ID 284 of 2002

WW1 : Shri I Nagamalleshwar Rao

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel list

ID 295 of 2002

WW1 : Shri K Venugopal

MW1 : Shri R Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel list

ID 296 of 2002

WW1 : Shri M. Maruthi

MW1 : Shri R. Prakash Babu

Ex. W1 : Service Certificate

Ex. W2 : Notification of the bank

Ex. W3 : Empanel list

Documents Marked for Respondent (in all 86 cases)

Ex. M1 : Settlement dated 17-11-1987

Ex. M2 : Settlement dated 6-7-1988

Ex. M3 : Settlement dated 27-10-1988

Ex. M4 : Settlement dated 9-1-1991

Ex. M5 : Minutes of concilintion Proceedings
dt. 9-6-1995

Ex. M6 : Settlement dated 30-7-1996

Ex. M7 : Memorandum of Understanding dt 27-2-1997

Ex. M8 : Particulars of 1989 Messenger Panel

Ex. M9 : Particulars of 1989 Non-Messenger Panel

Ex. M10: Particulars of 1992 General Attendent Panel

Ex. M11: Judgement of Hon'ble High Court of A.P. in Writ
Appeal No 86/98 and batch dt. 1-5-1998

Ex. M12: Judgement of the Hon'ble Supreme Court of
INDIA in SLP 11886-11888/98 dt. 10-8-1998

नई दिल्ली, 20 सितम्बर, 2005

का. आ. 3750.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 20799) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-9-2005 को प्राप्त हुआ था।

[सं. एल-12011/80/1998-आई आर (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 20th September, 2005

S.O. 3750.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 207/99) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of Union Bank of India, and their workmen, received by the Central Government on 19-9-2005

[No. L-12011/80/1998-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

LOK ADALAT HELD ON 4-9-2005-THE SUNDAY
THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JABALPUR
NO. CGIT/LC/R/207/99

PRESIDING OFFICER: SHRI C. M. SINGH

The General Secretary,
 'Union Bank Employees' Association,
 205, Vaikunth, Surendra Place,
 Opp. Bhopal University,
 Bhopal (M.P.)

Workman/Union

Versus

The Dy. General Manager,
 Union Bank of India,
 Zonal Office, 1st Floor,
 Gangotri Complex,
 Bhadbhada 1st Road,
 Bhopal (M.P.)

Management

Bench of Lok Adalat

- | | |
|--|----------|
| 1. Shri C. M. Singh,
Presiding Officer,
CGIT-Cum-Labour Court,
Jabalpur | Chairman |
| 2. Shri R. C. Shrivastava,
Advocate | Member |
| 3. Shri Ashish Agrawal,
Advocate | Member |

AWARD

Passed on this 4th day of September, 2005

1. The Government of India, Ministry of Labour vide its Notification No. L-12011/80/98/IR (B-II) dated 13-5-99 has referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the management of Zonal Dy. General Manager, Union Bank of India in not paying the watchman allowance to Shri Somchandra Sondhiya, Peon-cum-watchman, w.e.f. 15-3-94 is justified? If not, what relief the workman is entitled for?”

2. Case is taken up in Lok Adalat today. There is an application on record of this reference by Shri B. C. Nigam, General Secretary, Union Bank Employees' Association, Bhopal, MP. wherein it is requested to permit the Union/workman to withdraw this case. It is mentioned in the body of this application by Shri B. C. Nigam, General Secretary that their association on behalf of their member Com. Somchandra Sondhiya, peon cum hammal posted in Zonal Office, Bhopal raised the dispute in the Office of Assistant Labour Commissioner(C), Bhopal, for payment of watchman allowance. That the Union bring it to the kind

notice of this Tribunal that the management has designated Mr. Sondhiya as watchman-cum-peon and posted him in Staff Training Centre, Bhopal and also regularly paying watchman allowance from the date of posting at STC, Bhopal. And in this manner, the management has settled the dispute with mutual understanding with Com. Sondhiya and now he is not interested to continue the dispute in the Court of law. Shri S. K. Rao, Sr. Advocate counsel for the management also submitted the same. He further submitted that he has no objection against the aforesaid application made by Shri B. C. Nigam, General Secretary. The submission made in application by Shri B. C. Nigam, General Secretary and the submission made by the learned counsel for the management reveal that the matter has been compromised between the parties and now no dispute is left between the parties.

3. As is clear from the above that the matter has been compromised between the parties and now no dispute is left between them, I am of the considered opinion that it is a fit case in which a No Dispute Award should be awarded.

4. In view of the above, No Dispute Award is passed without any order as to costs.

5. Copy of the award be sent to the Ministry of Labour, Government of India as per rules.

C. M. SINGH, Presiding Officer
 R. C. SHRIVASTAVA, Member
 ASHISH AGRAWAL, Member

नई दिल्ली, 20 सितम्बर, 2005

का. आ. 3751.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 28/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-9-2005 को प्राप्त हुआ था।

[सं. एल-12012/169/2002-आई आर (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 20th September, 2005

S.O. 3751.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 28/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the management of Central Bank of India, and their workmen, received by the Central Government on 19-9-2005

[No. L-12012/169/2002-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE**THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL CUM LABOUR COURT, LUCKNOW****PRESENT****SHRIKANT SHUKLA
PRESIDING OFFICER****I. D. No. 28/2003**Ref. : No. L-12012/169/2002-IR (B-II) dated :
31-1/10-2-2003.**BETWEEN**Shri Sunil Kumar S/o Sh. Manohar Lal
R/o Hathi Khana, Sanjai Nagar
Rampur.**AND**The Regional Manager
Central Bank of India
Regional Office, B-88, Civil Lines
Bareilly (U.P.)-243001.**AWARD**

The Government of India, Ministry of Labour *vide* their Order No. L-12012/169/2002-IR (B-II) dated : 31-1/10-2-2003 has referred following dispute for adjudication to the Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Lucknow for adjudication.

“Whether the action of the Regional Manager, Central Bank of India, Bareilly in terminating the services of Shri Sunil Kumar S/o Shri Manohar Lal w.e.f. 22-8-2000 from Subordinate Cadre is just, fair and legal? If not, what relief he is entitled to?”

The worker, Sunil Kumar has filed the statement of claim alleging therein that he was engaged/appointed in Rampur U.P. Branch of Central Bank of India on daily wages in clear vacancy due to promotion of Shri Ram Mohan, and posted at Bilaspur branch of the Bank. He has put his service in subordinate cadre up to 21-8-2000 continuously without any break from 15-11-1999 to 21-8-2000. Thereafter, the bank has terminated/retrrenched his service without any cogent reason and also without following the procedure for termination/retrrenchment of services as laid down in Industrial Dispute Act, 1947. Although the management of the bank appointed junior to the worker in place of worker on the same post and wages. Applicant has therefore prayed for reinstatement with full back wages and other consequential benefits as per Bank's norms and pay the difference between full wages payable to full time subordinate staff and daily wages.

The opposite party has filed its reply and has disputed his claim. However, it is admitted that he has worked on contractual basis for less than 104 day for the purpose of safai of the bank on discontinued nature. Since the applicant was never appointed in the bank service as such he was not retrrenchment. It is further alleged that the worker had

worker had worked as casual labour on payment of Rs. 20 per day on the contractual basis and the bank used to pay Rs. 20 per day to him. The management's allegation is that worker had worked in the bank in discontinued nature aggregating his work for not more than 104 days. The worker for the above reasons was not entitled for reinstatement in the service. The bank has not done any unjustified act against the worker and the dispute raised by the worker is unwarranted and illegal. It further alleged that the worker was neither engaged nor appointed by the bank in consonance with the service norms and rules of the bank on 15-11-99. He has worked as safai karmahari on casual basis on payment of Rs. 20 per day. There arose no vacancy as alleged by the worker. It is also alleged that he was not appointed by the competent authority of the bank but was called by the concerned branch manager on casual basis for the purpose of safai of the branch on Rs. 20 per day. The management of the bank also filed the statement of Rampur branch detailing the working day of worker and has alleged that since the worker has not worked for 240 days but he has worked for 104 days on discontinued basis as casual labour on Rs. 20 per day therefore the worker is not entitled for any relief claimed because he was never appointed in the permanent bank service.

The worker has filed rejoinder wherein he has admitted that he was engaged on daily wages and salary Rs. 20 per day was paid by the Branch Manager, Rampur.

The worker has filed following photo state copy of documents with his statement of claim besides copy of reference order.

1. Letter No. RO:PRS: 1999-2000 dtd. 21-5-99 regarding appointment of temporary employees of Regional Manager to All Branches under Bareilly Region.
2. Letter dtd. 21-8-2000 addressed to Regional Office, regarding information on Sub-staff engaged as casual workers.
3. Information on employees engaged on temporary basis for 240 days or more in respect of Rampur Branch under signatures of Branch Manager.

The management has filed following documents :

1. As per order of the Tribunal the management of the bank field original letter dated 21-8-2-000 of which photo state copy has been filed by the worker.
2. Letter No. RO:PRS: 2000-01: 1387 dtd 17-8-2000 of which photo state copy has been filed by the worker.
3. Pro forma on employees engaged on temporary basis for 240 days or more dtd. 21-8-2000 purported to be signed by the Branch Manager.

The worker has examined himself on 29-6-2000.

The case was ordered to proceed ex-parte against the opposite party on the aforesaid date. The representative of all opposite party submitted an application C-22 for setting aside ex-parte order dtd. 29-6-200 which was disposed of on 5-5-2005 at the cost of Rs. 300/- and next date was fixed 4-8-2005 for evidence. On 4-8-2005 also the opposite party remained absent. However, next date was fixed 30-8-2005 for evidence. On 30-8-2005 the representative of opposite party or the witness did not turn up therefore the case proceeded ex-parte against the management and 2-9-2005 was fixed for ex-parte hearing/argument. On 2-9-2005 also the representative of opposite party has not turned up nor any official of the bank. In the circumstances heard the representative of the worker alone.

The reference is whether termination of Sh. Sunil kumar w.e.f. 22-8-2000 from subordinate cadre is just, fair and legal? The worker has alleged in his statement of claim that the continuously worked from 15-11-1999 to 21-8-2000 for more than 280 days. The duration is not disputed. The opposite party has disputed only days of working. According to opposite party the worker has worked for only 104 days. It has to be seen whether the worker has worked for 240 days prior to his termination. The worker has alleged in para 5 of his statement of claim that regional office of the bank issued a circular letter No. RO/PRS/2000-01/1387 dtd. 17-8-2000 regarding the information about those employees who have been engaged on daily wages and completed more than 240 days in bank's service. Regional Office of the bank has also enclosed a per forma for doing the needful with circular letter under reference. The opposite party has replied para 5 of the statement of claim and has stated that Regional Office issued circular Letter No. RO/PRS/1999-2000/464 dtd. 21-5-1999 in which the bank asked the branches to submit the name of the casual/daily workers/labours who had completed 240 days but the worker, for want of 240 days work was not covered under the said circular of the bank. He lacked eligibility and did not fall within the preview of the said circular. Hence version of the management is vague and not tenable. The management has not specifically replied about Circular No. RO/PRS/2000-01/1387 dtd. 17-8-2000. Instead it has given different circular's particulars. The photo state copy of the circular letter has been filed by the management that is RO/PRS/2000-01/1387 dtd. 17-8-2000 that is paper No. 17/2. The letter belongs to the management, and has been filed by the management. Through this letter the Manager (PRS) of the Regional office, Bareilly Central Bank of India called for information from all branches within the Bareilly region, the details of employees engaged on temporary basis for 240 days or more. Information was sought as there were the cases where the employees have been approaching in Court/Assistant Labour Commissioner (C), seeking permanent appointment in the bank.

The worker has stated in para 6 of the statement of claim that in compliance of this Circular Letter Branch

Manager, Central Bank of India, Rampur branch sent the name of worker to Regional office, Bareilly stating therein that worker is working continuously in Rampur branch of the Bank from 15-11-1999 to till date i.e. 21-8-2000 in Subordinate Cadre on daily wages and on the foot note on this letter is given by the Branch Manager, Central Bank of India, Rampur that branch is paying him Rs. 20 per day. The worker has filed the said circular letter which is annexure-III to the statement of claim. the same is not specifically denied on the other hand the management has filed the letter which is C-17. In this letter the Branch Manager clearly mentioned the reference of the circular letter and that he is enclosing the details regarding Sunil Kumar who is working in the branch, the letter is dated 1-8-2000.

The worker's representative has argued that the proforma which was sent with circular letter is paper No. 17/3 filed by the opposite party in which the name of Sunil Kumar is written showing period of engagement from 15 November, 99 till date and in the said pro-forma the reason for temporary engagement is promotion of part time safaikarmi, Ram Mohan to Bilaspur.

From the above documentary evidence of the bank it is clear that worker has worked for more than 240 days in the branch of Central Bank of India due to the promotion of Shri Ram Mohan to Bilaspur.

The worker has proved on oath in the court that he worked for more than 240 days in the bank. He also stated that after removing him from the bank his junior is engaged. He has also proved that he has discharged the duty of Messenger, Dak-peon, Daftary and Cash-peon.

It is no doubt clear that the worker as not regularly appointed person. He was only casual labour, discharging duties of sub-staff. It is also proved that worker has put in 240 days working days preceding 12 months from the date of his termination.

In the circumstances the worker could not have been terminated from the service without the compliance of the provisions of Industrial Disputes Act. He ought to have been given notice, notice pay, retrenchment compensation before his termination from the service. In the circumstances termination order is not just, fair and legal. The net result will be that the reference is answered in negative against the management.

The worker has prayed for regular salary in the bank. He is not a regularly appointed employee and as such he cannot be entitled to regular salary admissible to regular staff. However, the relief he can get is resintatement in service in the position he was retrenched/terminated. he is a daily wager and wages are to be paid for the days He worked, therefore, he is not entitled to be paid any vack wages. Award accordingly.

Lucknow SHRIKANT SHUKLA, Presiding Officer
Dated : 8-9-2005.

नई दिल्ली, 20 सितम्बर, 2005

का. आ. 3752.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ महाराष्ट्र के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या 159/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-09-2005 को प्राप्त हुआ था।

[सं. एल-12011/117/2003-आईआर (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 20th September, 2005

S.O. 3752.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 159/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the management of Bank of Maharashtra and their workman, received by the Central Government on 19-09-2005.

[No. L-12011/117/2003-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

**LOK ADALAT HELD ON 4-9-2005—THE SUNDAY
THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JABALPUR
NO. CGIT/LC/R/159/2003**

Presiding Officer : SHRI C. M. SINGH

The Dy. General Secretary,

Union of the Maharashtra Bank Employees,

H. No. 1017, Hamman Mandir Gali,

Yadav Colony,

Jabalpur

.... Workman/Union

Versus

The General Manager (Personnel),

Bank of Maharashtra, Central Office,

1501, Lokmangal, Shivaji Nagar,

Pune-411005

.... Management

Bench of Lok Adalat

- | | |
|--|----------|
| 1. Shri C. M. Singh, Presiding Officer
CGIT Cum Labour Court,
Jabalpur | Chairman |
| 2. Shri R.C. Shrivastava
Advocate | Member |
| 3. Shri Ashish Agrawal,
Advocate | Member |

AWARD

Passed on this 4th day of September, 2005

1. The Government of India, Ministry of Labour vide its Notification No. L-12011/117/2003-IR (B-II) dated 18-9-2003 has referred the following dispute for adjudication by this tribunal :—

“Whether the demand of the union from the management of Bank of Maharashtra for payment of 1/2 of scale wages in place of 1/3 to Shri Shankerlal Balmiki PTS from the date he joined at Karmeta Branch till the date of his transfer to Regional Office, Jabalpur on the basis of payment of 1/2 wages to his predecessor/successor is justified ? AND 2. whether Sh. Shankerlal Balmiki is entitled to the benefit of enhancement in scale wages from 1/2 to 3/4 w.e.f. 22-9-1999 i.e. date of bi-partite settlement ? If so, what relief the workman is entitled to ?”

2. The reference is taken up in Lok Adalat today. There is a joint application moved by workman Shri Shankar Balmiki and the management on record whereby it has been prayed that No Dispute Award be passed in this reference as the matter has been compromised between the parties to the reference.

3. The workman Shri Shankar Balmiki in person and Shri I. J. Sarkar, Sr. Manager for the management are present before this Lok Adalat today. They also submitted that the matter has been compromised between the parties and a joint application has been moved with the prayer that a No Dispute Award be passed in the reference. We have very carefully gone through the joint application of the parties on record. This application is duly verified before us. Having considered the submission made above by the parties to the reference, we are of the opinion that it is a fit case in which a No Dispute Award should be passed.

4. Since the dispute has been settled and the matter has been compromised between the parties to the reference, No Dispute Award is passed without any order as to costs.

5. Copy of the award be sent to the Ministry of Labour, Government of India as per rules.

C. M. SINGH, Chairman

R.C. SHRIVASTAVA, Member

ASHISH AGRAWAL, Member

नई दिल्ली, 20 सितम्बर, 2005

का. आ. 3753.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ महाराष्ट्र के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या 57/95) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-09-2005 को प्राप्त हुआ था।

[सं. एल-12011/59/94-आईआर (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 20th September, 2005

S.O. 3753.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 57/95) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bank of Maharashtra and their workman, which was received by the Central Government on 19-09-2005.

[No. L-12011/59/94-IR (B-II)]

C. GANGADHARAN, Under Secy.
ANNEXURE

**LOK ADALAT HELD ON 4-9-2005—THE SUNDAY
THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JABALPUR
NO. CGIT/LC/R/57/95**

Presiding Officer : SHRI C. M. SINGH

Shri S.K. Muteraja

Assistant General Secretary,

Madhya Pradesh Bank Employees Association,

C/o Bank of India, Napier Town,

Jabalpur.

.... Workman/Union

Versus

The Regional Manager,

Bank of Maharashtra,

Wright Town,

Jabalpur

.... Management

Bench of Lok Adalat

- | | |
|---|----------|
| 1. Shri C.M. Singh, Presiding Officer
CGIT Cum Labour Court,
Jabalpur | Chairman |
| 2. Shri R.C. Srivastava
Advocate | Member |
| 3. Shri Ashish Agrawal,
Advocate | Member |

AWARD

Passed on this 4th day of September, 2005

1. The Government of India, Ministry of Labour vide its Notification No. L-12011/59/94-IR (B-II) dated 20-3-95 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Bank of Maharashtra, Jabalpur in not assigning the allowance carrying post of Cashier incharge to Shri V.K. Tiwari, clerk at Sanjivini Nagar Branch w.e.f. 10-9-93 is legal and justified? If not, to what relief is the said workman entitled?”

2. The case is taken up in Lok Adalat today. There is an application moved by workman Shri V. K. Tiwari on record whereby it has been prayed that the reference be closed and a No dispute Award be passed. It is mentioned

in the body of the above application that the management has paid to the workman all the allowances due carrying on the post of cashier-incharge and now nothing is due on the management. Workman Shri Vijay Kumar Tripathi and Shri I.J. Sarkar, Sr. Manager for the management are present today before this Lok Adalat. Both of them submitted that the matter has been compromised between the parties to reference and therefore a No Dispute Award be passed in this reference.

3. Having considered the facts mentioned in the application moved by workman Shri V. K. Tiwari and the submissions made by workman Shri V.K. Tiwari and Shri I.J. Sarkar, Sr. Manager for the management that the matter has been compromised between the parties, we are of the considered opinion that it is a fit case in which a No Dispute Award is passed without any order as to costs.

4. In view of the above, No Dispute Award is passed without any order as to costs.

5. Copy of the award be sent to the Ministry of Labour, Government of India as per rules.

C. M. SINGH, Chairman

R.C. SHRIVASTAVA, Member

ASHISH AGRAWAL, Member.

नई दिल्ली, 20 सितम्बर, 2005

का. आ. 3754.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन ब्यूरो ऑफ माइन्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, धनबाद के पंचाट (संदर्भ संख्या 101/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-42012/36/2003-आई आर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 20th September, 2005

S.O. 3754.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 101/2004) of the Central Government Industrial Tribunal Dhanbad No. 2, as shown in the Annexure, in the Industrial Dispute between the management of Indian Bureau of Mines, and their workmen, received by the Central Government on 20-09-2005.

[No. L-42012/36/2003-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**

PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I. D. Act, 1947.

Reference No. 101 of 2004

PARTIES: Employers in relation to the management of Indian Bureau of Mines and their workmen.

APPEARANCES:

On behalf of the workmen : None

On behalf of the employers : None

State : Jharkhand Industry : Mines

Dated, Dhanbad, the 17th August, 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-42012/36/2003-IR(C-II) dated the 16th August, 2004.

SCHEDULE

"Whether the action of the management of Indian Bureau of Mines in transferring Sri Panchu Sao, Sr. F/O vide their order dt. 3-6-2002 is legal and justified? If not, to what relief the concerned workman is entitled to?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. None also appeared on behalf of the management. Record shows that inspite of issuance of notices and show cause notice consecutively the workman/sponsoring union failed to turn up before this Tribunal in the matter of taking steps in the instant reference case. As per Rule 10(B) of the I.D. Central Rules, 1957 it is mandatory to file Written Statement, complete with relevant documents, list of reliance and witnesses on the part of the concerned workman/sponsoring union within 15 days from the date of receipt of the order of reference. The workman/sponsoring union not only violated the above provision of rule but also did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of this case. Under the circumstances, this Tribunal also finds no reason to adjourn the case suo moto for days together. Hence, the case is closed and accordingly a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 20 सितम्बर, 2005

का. आ. 3755.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण नं. 1, धनबाद के पंचाट (संदर्भ संख्या 164/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-22012/359/1996-आई आर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 20th September, 2005

S.O. 3755.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 164/1997) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Dhanbad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Food Corporation of India and their workman, which was received by the Central Government on 20-9-2005.

[No. L-22012/359/1996-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/s. 10(1)(d)(2A) of I.D. Act.

Reference No. 164 of 1997

Parties : Employers in relation to the management of Food corporation of India, Patna.

AND

Their Workman.

Present: Shri Sarju Prasad,
Presiding Officer.

Appearances:

For the Employers : Md.A.R.Azad, AG-I(M).

For the workman : None.

State : Bihar. Industry : Food.

Dated, the 24th August, 2005

AWARD

By Order No. L-22012/359/96-IR(C.II) date 18-9-1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of Sub-sec. (1) and Sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the demand of the FCI Executive Staff Union, Patna, for regularisation of services of Sh. Sunil Kumar Jha and 16 other casual workers (list enclosed) of FSD, Tilrath is legal and justified? if so, to what relief are the workmen entitled and from which date?"

2. This reference case is of the year 1997. But despite giving several adjournments even on 24-8-2005 no written statement has been filed on behalf of the workmen.

It, therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. Under such circumstances, I render a 'No Dispute' award in this reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 20 सितम्बर, 2005

का. आ. 3756.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 199/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[स. एल-22012/256/1996-आई आर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 20th September, 2005

S.O. 3756.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 199 of 1997) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Hasdeo Area of SECL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-22012/256/1996-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

LOKADALAT HELD ON 4-9-2005—THE SUNDAY

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/199/97

Presiding Officer : Shri C. M. SINGH

Shri N.L. Pandey,
General Secretary, M.P.K.M.S.,
1591, Amrapali Duplex,
Near Radha Swamy Satsang,
Napier Town, Jabalpur (MP)

Workman/Union

Versus

The General Manager,
Hasdeo Area of SECL,
Post South Jagrakhand Colliery,
Distt. Surguja (MP)

Management

Bench of Lok Adalat

1. Shri C.M.Singh, Presiding officer
CGIT Cum Labour Court,
Jabalpur

Chairman

2. Shri R.C.Shrivastava,
Advocate
3. Shri Ashish Agrawal,
Advocate

Member

Member

AWARD

Passed on this 4th day of September, 2005

1. The Government of India, Ministry of Labour vide its Notification No.L-22012/256/96-IR(C-II) dated 11-14/7/97 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Hasdeo Area of SECL in terminating the services of Sh. Vijay Kumar, Typist and Sh. Vivekanand Roy, Clerk Grade. II O/o Dy. CME, Mines Rescue Station, Manendragarh, is legal and justified? If not, to what relief are the workmen entitled and from which date?”

2. The reference is taken up in Lok Adalat today. It is prayed by the non-applicant in their application that the dispute has been compromised between the parties to reference on Form-H. Therefore a Consent Award be passed in this reference.

3. In this reference, there are two workmen one is Shri Vijay Kumar Typist and the other is Shri Vivekanand Roy, Clerk Gr.II. The dispute on behalf of both the workmen named above was raised by Shri N.L.Pandey, General Secretary, MPKMS, Jabalpur (MP).

4. Shri Vijay Kumar, workman in person, Shri Omkar Singh, Legal Inspector, SECL, Hasdeo Area and Shri A.K. Shashi, Advocate for management are present today before this Lok Adalat. It has been submitted on behalf of parties that the dispute has been compromised between the parties and two settlements regarding the same have been reduced into writing on Form-H which are on record. One settlement relates to workman Shri Vijay Kumar, Typist and the other relates to workman Shri Vivekanand Roy, Clerk Grade-II. The settlement is duly verified before us. We have very carefully gone through the settlement deeds. The terms of settlement arrived at between workman Shri Vijay Kumar, Typist and the management are as follows :—

1. It is agreed that Sri Vijay Kumar S/o Shri Phulchand Ex - Gr.III Typist-cum-clerk will be reinstated as clerk (Trainee) subject to his medical fitness for a period of one year and after satisfactory completion of one year training he will be given Gr.III clerk in the initial pay of scale under NCWA-V.
2. It is agreed that no back wages of consequential benefits will be given to him from the date of dismissal i.e. 25-12-95 to the date of actual joining duty at the place of posting as such the period of absence will be treated as "Dues-Non" i.e. "Work No Pay".

3. It is agreed that he will be given continuity of service for the purpose of calculation of gratuity only.
 4. It is agreed that he will deposit both the contribution under pension scheme for the period from 25-12-95 to till the actual date of joining duty.
 5. It is agreed that Sri Vijay Kumar has deposited the balance embezzled amount Rs. 17,025.98 vide cash receipt No. 03021 dtd. 5-3-98 at the Area Hd. Qr. Hasdeo Area.
 6. It is agreed that the dispute is fully and finally resolved and the same will not be raised before any court/authority or Govt. machinery by the person concerned/Union in future.
 7. It is agreed that the copy of this settlement will be filed before the Hon'ble CGIT, Jabalpur to whom the case has been referred vide letter No. L22012/256/96/IR(C-II) dated 11/14-7-97, with a request to pass the Consent Award as per terms of settlement.
 8. It is agreed that the copy of this settlement will be filed before the Hon'ble High Court at Jabalpur with a request to close the W.P.No. 741/96 by virtue of this settlement.
 9. It is agreed and assured that such type of misconduct will not be repeated by Sri Vijay Kumar in future, failing which his services will be terminated without any previous notice.
 10. It is agreed that he will produce Identity Card or attested photographs at the time of joining duty at the place of posting.
 11. It is agreed that the copy of settlement will be sent to appropriate authority for registration under ID(C) Rules, 1957.
5. The terms of settlement arrived at between the workman Shri Vivekanand Roy, Clerk Grade-II and the management are as follows:—

1. It is agreed that Sri Vivekanand Roy, S/o Shri R.M. Roy Ex Clerk Gr. II will be reinstated as clerk Gr. III under NCWA-V, subject to his medical fitness.
2. It is agreed that no back wages or consequential benefits will be given to him from the date of dismissal i.e. 25.12.95 to the date of actual joining duty at the place of posting as such the period of absence will be treated as "dies-non" i.e. "no work no pay."
3. It is agreed that Sri Vivekanand Roy will be demoted and re-instated as Clerk Gr. III (Clerk Grade Three) with initial basic under NCWA-V.
4. It is agreed that he will be given continuity of service for the purpose of calculation of gratuity only.

5. It is agreed that he will deposit both the contribution under pension scheme for the period from 25-12-95 to till the actual date of joining duty.
6. It is agreed that Sri Vivekanand Roy has deposited the balance embezzled amount Rs. 39,791.06 vide cash receipt No. 05888 dtd. 24-2-98 at the Area Hd. qr. Hasdeo Area.
7. It is agreed that the dispute is fully and finally resolved and the same will not be raised before any court/authority or Govt. machinery by the person concerned /Union in future.
8. It is agreed that the copy of this settlement will be filed before the Hon'ble CGIT, Jabalpur to whom the case has been referred vide letter No. L-22012/256/96/IR(C-II) dated 11/14-7-97, with a request to pass the consent Award as per terms of settlement.
9. It is agreed that the copy of this settlement will be filed before the Hon'ble High Court at Jabalpur with a request to close the W.P.No. 741/96 by virtue of this settlement.
10. It is agreed and assured that such type of misconduct will not be repeated by Sri Vivekanand Roy in future, failing which his services will be terminated without any previous notice.
11. It is agreed that he will produce Identity Card or attested photographs at the time of joining duty at the place of posting.

It is agreed that the copy of settlement will be sent to appropriate authority for registration under ID(C) Rules, 1957.

6. The above terms of settlement are just and fair. Therefore as per submission made on behalf of the parties, the reference deserves to be decided by passing a No Dispute Award.

7. Considering the above, No Dispute Award is passed without any order as to costs.

8. Copy of the award be sent to the Ministry of Labour, Government of India as per rules.

C. M. SINGH, Chairman
R. C. SHRIVASTAVA, Member
ASHISH AGRAWAL, Member

नई दिल्ली, 20 सितम्बर, 2005

का. आ. 3757.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी.एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 312/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-22012/573/1994-आई आर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 20th September, 2005

S.O. 3757.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 312 of 1997) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-22012/573/1994-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

LOK ADALAT HELD ON 4-9-2005—THE SUNDAY THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/312/97

Shri C. M. SINGH : Presiding Officer

The Vice President, ...Workman/Union
Madhya Pradesh Koyla Shramik
Sangh (CITU),
Head Office : Banki Mogra,
Distt. Bilaspur (MP)

Versus

Dy. General Manager, ...Management
SECL, Gevra Project,
PO Gevra Project,
Distt. Bilaspur (MP)

Bench of Lok Adalat

1. Shri C.M. SINGH, Presiding Officer
CGIT Cum Labour Court,
Jabalpur ...Chairman
2. Shri R.C. Shrivastava,
Advocate ...Member
3. Shri Ashish Agrawal,
Advocate ...Member

AWARD

Passed on this 4th day of September-2005

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/573/94-IR(C.II) dated 12/11/97 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management by not changing the date of Birth as 3.3.1994 of Sh. Uday Ram, Electrician Cat. V of Gevra Project, SECL is justified? If not to what relief the workman is entitled to?”

2. The Case is taken up in Lok Adalat today. The parties moved a joint application requesting therein that No Dispute Award be passed in the present dispute as the workman does not want to press the dispute. It is mentioned in the body of this application that the workman has raised the present dispute with regard to his date of birth entered in departmental records. That during the pendency of the case the dispute was discussed with the management and the workman has satisfied that the entries made in the official records are correct.

3. Workman Shri Uday Ram in person and Shri Satya Prakash Dy. PM Gevra Project and Shri A.K. Shashi, Advocate for management are present before this Lok Adalat today. Shri A.K. Shashi, Advocate identified Shri Satya Prakash Dy. PM for management and Shri Satya Prakash Dy. PM identified the workman before this Lok Adalat. The above mentioned joint application by the parties clearly indicates that now no dispute is left between the parties and the workman does not want to prosecute this reference; rather it has been prayed jointly by both the parties that No Dispute Award be passed in the present dispute.

4. In view of the above compromise reached between the parties, I am of the considered opinion that now no dispute is left between the parties. Under the above circumstances, it shall be justified to pass a No Dispute Award.

5. In view of the above, No Dispute Award is passed without any order as to costs.

6. Copy of the award be sent to the Ministry of Labour, Government of India as per rules.

C. M. SINGH, Chairman

R. C. SHRIVASTAVA, Member

ASHISH AGRAWAL, Member

नई दिल्ली, 20 सितम्बर, 2005

का. आ. 3758.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 15/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-22012/467/1996-आई आर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 20th September, 2005

S.O. 3758.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 15/1998) of the Central Government Industrial Tribunal-cum-Labour

Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the management of and their workman, received by the Central Government on 20-9-2005.

[No. L-22012/467/1996-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

LOK ADALAT HELD ON 4-9-2005—THE SUNDAY THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R15/98

Presiding Officer: Shri C. M. SINGH

The Area General Secretary, Workman/Union
Rashtriya Koyla Khadan Mazdoor
Sangh (INTUC),
Johilla Area, Near Bus Stand,
Post Nowrozabad,
Distt. Shahdol (MP).

Versus

The General Manager, Management
Johilla Area of SECL,
Post Nowrozabad Colliery,
Distt. Shahdol (MP)

Bench of Lok Adalat

1. Shri C.M. SINGH, Presiding Officer
CGIT Cum Labour Court,
Jabalpur —Chairman
2. Shri R.C. Shrivastava,
Advocate —Member
3. Shri Ashish Agrawal,
Advocate —Member

AWARD

Passed on this 4th day of September-2005

1. The Government of India, Ministry of Labour *vide* its Notification No. L-22012/467/96-IR(C.II) dated 30-12-97 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the General Manager, Johilla Area of SECL in promoting 21 Grade-I Clerks of General Ministerial Grade to the post of Special Grade Clerk *vide* office order dated 21/22-2-94 and 30-5-95/1-6-95 respectively in supercoding Shri N.S. Gyani, Shri M.D. Yadav, Sh. Sabir Khan and Sh. Virendra Bahadur Singh (All Gr. I Clerks) is legal and justified? To what relief the mentioned Grade-I Clerks of general ministerial cadre of Johilla Area of SECL are entitled?”

2. The reference is taken up at Lok Adalat today.

Shri A.K. Shashi, Advocate and Shri S.P. Gupta, Dy. Manager for management are present before this Lok Adalat today. They submitted that a memorandum of settlement on form-H has been filed on record of this

reference as compromise has been arrived at between the parties. They requested that this reference be decided in terms of mutual compromise. The memorandum of settlement on Form-H is duly verified before us today. I have very carefully gone through the terms of memorandum of settlement. They are just and proper. The following are the terms of settlement :—

1. That the management is agreed that Sarva Shri Shyamlal Pradhan, Keshaw Prasad, Ram Sakha Tiwari, Ram Prakash, Sunder Singh, Kushal Rao, L.K. Vishwakarma, Mohd. Jamil, N.G. Gyani, S.K. Hameed, Shivmangal Singh, Bhim Sen, Sushil Kumar Mishra, O.P. Dubey, Murli Dhar Yadav, Ganesh Prasad Rajak, Sabir Khan, Virendra Bahadur Singh, S.K. Bhattacharya all the Clerk, Grade I, who were superceded by Shri Tareque Tuffail Khan, Clerk, Grade I, who were superceded by Shri Tareque Tuffail Khan, Clerk, Grade-I, *vide* promotion order No. 1631 dated 22-2-94 and subsequently promoted later on *vide* promotion order No. 1351 dated 16-12-96; No. 1631 dated 22-2-94 and No. 585 dated 1-6-95. They shall be promoted with the Notional Fixation w.e.f. 22-2-94 without monetary benefit.
2. That the management has to implement the terms of the settlement arrived between the parties within one month of signing the settlement.
3. That the Union/workmen of the subject matter shall file the settlement before the CGIT, Jabalpur for No-Dispute Award within 10 days of signing of the settlement for the cases pending before the Hon'ble Tribunal.
4. That this is full and final settlement of the subjected dispute between the parties.
5. That the respective Union as well as the workmen concern will further do not raise the same/similar dispute before any forum/Court.
3. It is explicitly clear from the above that the matter has been compromised between the parties and the parties have agreed that the award be passed in accordance with the settlement on Form-H.
4. I have very carefully gone through the above mentioned terms of settlement. They are just and fair. Therefore on the basis of compromise between the parties, the Award is passed in accordance with the terms of settlement mentioned above without any order as to costs.
5. Copy of the award be sent to the Ministry of Labour, Government of India as per rules.

C. M. SINGH, Chairman

R. C. SHRIVASTAVA, Member

ASHISH AGRAWAL, Member

नई दिल्ली, 20 सितम्बर, 2005

SCHEDULE

का.आ. 3759.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट (संदर्भ संख्या 35/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-22012/297/2002-आई आर (सी-II)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 20th September, 2005

S.O. 3759.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 35/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the Industrial Dispute between the management of Bankola Area of M/s. Eastern Coalfield Limited, and their workman, which was received by the Central Government on 14-9-2005.

[No. L-22012/297/2002-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ASANSOL**

PRESENT:

Shri Md. Sarfaraz Khan, Presiding Officer

REFERENCE NO. 35 OF 2003

PARTIES : Agent, Bankola Area of ECL, Ukhra Burdwan.

Vrs.

Secretary, Colliery Mazdoor Union, Ukhra, Burdwan.

REPRESENTATIVES :

For the management : Sri P.K. Das, Advocate.

For the union (Workman) : None

Industry : Coal State : West Bengal

Dated, the 12th August, 2005.

AWARD

In exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its letter No. L-22012/297/2002 IR (C-II), dated, the 13-10-2003 has been pleased to refer the following dispute for adjudication by the Tribunal.

"Whether the action of the management of Bankola Area under M/s. E.C Ltd. in withdrawing promotion of Sh. A.K. Das and Sh. S.K. Mukherjee to the posts of Sr. Laboratory Technicians w.e.f. 20-9-2001 is legal and justified? If not, to what relief the workmen are entitled?"

After having received the order of the reference No. L.22012/297/2002 IR (C-II)] dated 13-10-2003 from the Ministry of Labour, Govt. of India, a Reference Case No. 35/2003 was registered and notices through the registered post were issued to the parties concerned directing them to appear and file their written statement along with the list of documents.

From perusal of the record it transpires that in pursuance to the summons Sri P.K. Das, Advocate appeared on behalf of the management on 28-6-2004. It is further clear from the record that the summons issued to the union was personally received on 30-6-2004 as it is apparent from the endorsement of the union on the A/D received in the court after the service of the notice. Several adjournments were given for the appearance of the union but in spite of repeated adjournments the union did neither appear nor any information was even sent to the court.

In the facts, circumstances and materials available in the record it is clear that the union has got no interest and it does not want to proceed with the case. As such it is not just, proper and advisable to keep the reference pending any more as no useful purpose is to be served. Accordingly it is hereby.

ORDERED

That let a "No Dispute Award" be and the same is passed. Send the Copies of the award of the Ministry of Labour, Govt. of India, for information and needful. The reference is accordingly disposed off.

MD. SARFARAZ KHAN, Presiding Officer

नई दिल्ली, 20 सितम्बर, 2005

का.आ. 3760.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नॉर्दन कोलफील्ड लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 116/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-22012/339/2002-आई आर (सी-II)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 20th September, 2005

Notification

S.O. 3760.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 116/2003) of the Jabalpur as shown in the Annexure, in the Industrial Dispute between the management of Northern Coalfields Limited, Jhingurda Project, and their workman, which was received by the Central Government on 20-9-2005.

[No. L-22012/339/2002-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

**LOKADALAT HELD ON 4-9-2005—THE SUNDAY
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/ 116 OF 2003

Presiding Officer : Shri C.M. SINGH

The Secretery,
NCL Workers Union Singrauli (INTUC),
Shf-152, NCL Colony,
PO Jhingurda, Distt. Sidhi
Sidhi (MP)

Workman/Union

Versus

The Chief General Manager,
Northern Coalfields Limited,
Jhingurda Project, PO Jhingurda,
Distt. Sidhi
Sidhi (MP)

Management

Bench of Lok Adalat

- | | |
|---|----------|
| 1. Shri C.M. Singh, Presiding Officer
CGIT-Cum-Labour Court,
Jabalpur | Chairman |
| 2. Shri R.C. Shrivastava,
Advocate | Member |
| 3. Shri Ashish Agarwal,
Advocate | Member |

AWARD

Passed on this 4th day of September, 2005

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/339/2002-IR(C-II) dated 24-6-2003 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Northern Coalfields Limited, Jhingurda Project in terminating

the services of Shri Chandradhari Chamer, General Mazdoor, Category-II vide their order dated 26-5-2001 is legal and justified? If not, to what relief he is entitled to?”

2. The reference is taken up today in Lok Adalat. Shri A.k. Shashi, Advocate and Shri A.L. Verma, Sr. Law Officer are present for the management. They submitted that the matter has been compromised between the parties and the same has been reduced into writing in the form of settlement on Form-H. I have gone through the terms and conditions of settlement on Form-H. The terms and conditions of the settlement are just and fair. There is an application moved by the managements on record with the prayer that the dispute be awarded vide in terms of settlement in the insterst of justice. The settlement on Form-H is duly verified before us. The following are the terms and conditions of the settlement :—

1. Sri Chandradhari Chamar, will be reinstated afresh as General Mazdoor, Cat. I with the initial basic pay of pay scale of Rs. 126.92-1.92-161.48 (NCWA-VI) subject to his fitness in medical examination by the Company's doctor.
2. He will be posted in any of the Project/Unit based on requirement other than Jhingurda Project.
3. Sri Chandradhari will not raise any type of dispute including for payment of salary/wages for the period from date of his absence till his reinstatement.
4. The conduct and performance of Sri Chandradhari will be closely watched and in case he does not improve, in future, his services will stand terminated without any further notice.
5. This is in full and final settlement of the case and in future neither the management of NCL will entertain any further claim in this case nor Sri Chandradhari will make any claim in this case either directly or through any trade Union.
6. The past services of Shri Chandradhari Chamar will not be taken into account for any purpose.
7. The copy of this settlement will be sent to Assistant Labour Commissioner (C) Shahdol (MP)/Allahabad (UP) for record.

3. I have very carefully gone through the above mentioned terms and conditions of the settlement. They are just and far. Therefore on the basis of compromise between the parties, the award is passed in accordance with the terms of settlement mentioned above without any order as to costs.

4. Copy of the award be sent to the Ministry of Labour, Government of India as per rules.

C. M. SINGH, Chairman
R. C. SRIVASTAVA, Member
ASHISH AGRAWAL, Member

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3761—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के संज्ञा (संदर्भ संख्या 67/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार की 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/90/2002-आई आर (सी-1)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3761.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 67/2002) of the Central Government Industrial Tribunal/Labour Court, Dhanbad II now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-20012/90/2002-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1) (d) of the I.D. Act, 1947.

REFERENCE NO. 67 OF 2002

PARTIES : Employers in relation to the management of
C. V. Area of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : Mr. A. K. Sinha, Ld.
Advocate.

On behalf of the employers : Mr. B.M. Prasad, Ld.
Advocate.

State : Jharkhand

Industry : Coal

Dated, Dhanbad the 9th September, 2005.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/90/2002 IR (C-I), dated, the 26th February, 2002.

SCHEDULE

"Whether the action of the management of C.V. Area of M/s. BCCL in not providing employment to Shri Lugu Manjhi, dependent of Late Shri Nilmuni Manjhi in accordance with the provisions of NCWA is fair and justified? If not, to what relief is the said dependent entitled?"

2. The case of the petitioner/workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :—

The Sponsoring union submitted that Smt. Nilmuni Manjhi was appointed as sweeping Kamin in Cat. I on 27-7-94. They disclosed that while she was in service she fell sick and admitted at Central Hospital on 19-2-99 and died on 26-2-99 leaving behind her son Raju who was minor at that time and two daughters Sadhmuni and Lukhmuni. They submitted that said Nilmuni Manjhi was a permanent employee under the management and as per son was miner, her one son-in-law Lugu Manjhi husband of her first daughter sadhmuni submitted application for his employment on compassionate ground as per clause 9:4:3 of NCWA V & VI. They alleged that management without assigning cogent reason refused to provide any employment to Lugu Manjhi, son-in-law of Smt. Nilmuni Manjhi and for which he raised an Industrial dispute before ALC(C), Dhanbad for conciliation which ultimately resulted reference to this tribunal for adjudication.

The sponsoring union accordingly on behalf of the petitioner/workman submitted prayer to pass award directing the management to provide him employment as per clause 9:4:3 of NCWA V & VI.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the petitioner/workman.

They submitted that no relationship of employer and employee ever grew up between the management and the concerned petitioner/worker. They further submitted that compassionate appointment is neither a fundamental right nor a right flowing from any statute. Merely because an employee died the cause of action with a claim as of right

does not accrue for his/her employment as per provision of NCWA. They submitted that as per provision the claim was not found fit management rightly refused to provide any employment of Shri Lugu Manjhi and for which he is not entitled to get any relief. Accordingly, prayer of the management is to pass award rejecting the claim of the petitioner/workman.

4. POINTS TO BE DECIDED

"whether the action of the management of C. V. Area of M/s. BCCL in not providing employment to Shri Lugu Manjhi, dependent of Late Smt. Nilmoni Manjhian in accordance with the provisions of NCWA is fair and justified? If not, to what relief is the said dependent entitled?"

5. FINDING WITH REASONS

It has been exposed from the record that the instant reference case was fixed for ~~exparte~~ evidence of the management as since filing written statement of 5-9-2003 the sponsoring union has stopped taking any further step for taking up final hearing of this case.

In course of ~~exparte~~ hearing management also declined to adduce any evidence. Therefore, it is seen that neither the sponsoring union nor the management considered necessary to adduce evidence with a view to substantiate their respective claim.

Considering pleadings of both sides there is no dispute to hold that Smt. Nilmoni Manjhian was a sweeping Kamin in Cat. I under the management. It is the claim of the sponsoring union that Smt. Nilmoni Manjhian while in service fell ill and was admitted at General Hospital on 19-2-99 and died on 26-2-99 leaving behind her minor son Raju and two daughters Sadhmuni and Lukhimuni.

Contention of the sponsoring union is that Lugu Manjhi was the husband of Sadhmuni and he submitted application to the management for his employment on compassionate ground under clause 9:4:3 of N.C.W.A. V. save the other members of the deceased family from starvation but his such application was turned down.

As per provision of clause 9:4:3 of NCWA V there is provision for employment to the dependant of the deceased worker. Therefore, before claiming privilege of that clause burden of proof rests on the sponsoring union to establish that the petitioner/workman was actually dependant on the income of the deceased worker. Lugu Manjhi has claimed employment on compassionate ground being son-in-law of the deceased worker. From the service sheet it transpires that name of Sadhmuni was recorded therein as daughter of the deceased and her age was recorded as 12 yrs. Therefore, it is clear that she was minor when her mother died. It is the claim of the sponsoring union that the petitioner/workman is the husband of Sadhmuni. In support of this claim the sponsoring union in spite of getting ample

scope has failed to adduce any evidence. It is seen that on two vital points, i.e., (1) whether the petitioner/workman was dependant on the deceased worker and (2) whether he was actually husband of Sadhmuni daughter of the deceased worker the sponsoring union has failed to adduce any cogent evidence.

Before invoking the provision as laid down in clause 9:4:3 of N.C.W.A., initial burden of proof rests on the sponsoring union to substantiate their claim by adducing cogent evidence. It is to be taken into consideration that facts disclosed in the written statement can not be considered substantiate piece of evidence until unless the same is either admitted by the opposite party or substantiated by cogent evidence. Here in the instant case the sponsoring union got ample scope to substantiate the claim of the petitioner/workman but they have lamentably failed to do so and for which I consider that they are not entitled to get any relief.

In the result the following award is rendered suo moto :

"that the action of the management of C.V. Area of M/s. BCCL in not providing employment to Shri Lugu Manjhi, dependant of Late Smt. Nilmoni Manjhian in accordance with the provision of NCWA is fair & justified."

Consequently, the petitioner/workman is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3762.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 259/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-2001/224/2001-आई आर (सी-1)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3762.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 259/2001) of the Central Government Industrial Tribunal cum Labour Court, Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-2001/224/2001-IR (C-1)]

N. P. KESAVAN, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2)
AT DHANBAD****PRESENT:**

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1) (d) of the I.D. Act, 1947.**REFERENCE NO. 259 OF 2001****PARTIES :** Employers in relation to the management of
Regional Store of Govindpur Area No: III of
M/s. BCCL and their workman.**APPEARANCES :**On behalf of the workman : Mr. B. N. Singh
Representative of the
workman.On behalf of the employers : Mr. D. K. Verma, Ld.
Advocate.

State : Jharkhand Industry : Coal

Dated, Dhanbad the 1st September, 2005.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/224/2001 IR (C-I), dated, the 18th Sept., 2001.

SCHEDULE

“Whether the demand of the union to regularise Sri S.K. Mitra as Store Keeper in Clerical Grade-II of Regional Store under Govindpur Area of M/s. Bharat Coking Coal Limited is proper and justified? If so, to what relief is the concerned workman and from that date?”.

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :

The sponsoring union submitted that the concerned workman was posted as Store keeper and in that capacity he started discharging his duties prior to 1-7-87. They disclosed that even from the official letter it has been exposed that he was posted at Regional Store Block II Area as Store Keeper and in that capacity he was transferred to Govindpur Area. They submitted that while he was transferred to Govindpur Area he was directed by the management to work as Store Keeper in Regional Store at Govindpur Area.

They alleged that inspite of fully aware of the designation management issued order of his promotion in clerical grade II by office order No. 435 dt. 19/20-4-90 as General Clerk of Regional Stores of Block II Area. They submitted further that the concerned workman started discharging his duties as Store Keeper prior to 1987 and the management not only on different occasions in official letters identified him as Store Keeper but also in the service excerpt issued to him disclosed the same designation. They alleged that management illegally and arbitrarily changed his designation as General Clerk in Gr. II. They further submitted that inspite of submitting representations as the management refused to change his designation he raised an Industrial Dispute through his union for conciliation which ultimately resulted reference to this Tribunal for adjudication.

Accordingly, they submitted prayer to pass award directing the management to regularise the concerned workman as Store Keeper in clerical Grade II since 1987 with consequential relief.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman. They submitted that the concerned workman being a General Clerk in clerical Grade II was posted at Regional Store Govindpur Area. They disclosed that the cadre of Clerk and the cadre of Store Keeper are different. Similarly the job of General Clerk and the job of Store Keeper are different. The General Clerks are placed in clerical cadre while the Store Keepers are placed in Store Cadre as per cadre scheme provided by JBCCI.

They submitted that as the concerned workman was never designated officially as Store Keeper the demand of the union is neither legal nor justified and for which he is not entitled to get any relief.

4. Points to be decided.

“Whether the demand of the Union to regularise Sri S. K. Mitra as Store Keeper in Clerical Grade II of Regional Store under Govindpur Area of M/s Bharat Coking Coal Limited is proper and justified? If so, to what relief is the concerned workman and from what date?”

5. Finding with Reason.

It transpires from the record that inspite of giving consecutive dates for adducing evidence with a view to substantiate the claim neither concerned workman nor the sponsoring union appeared. As a result the case was fixed for exparte evidence of the management. Management also declined to adduce evidence on their part subsequently.

Therefore considering the facts disclosed in the pleadings of both sides it is to be considered if the claim of the concerned workman stands on cogent footing for getting his relief. It is the contention of the sponsoring union that since prior to 1987 the concerned workman was posted at Regional Store Govindpur Area as Store Keeper in clerical Grade II. They submitted that in the year 1987 management issued service excerpt to the concerned workman wherein his designation was disclosed as Store Keeper while he was posted at Regional Stores Block II Area. They further disclosed that in the year 1995 the concerned workman was transferred to Govindpur Area from Block II Area and in the said letter of transfer his designation was disclosed as Store Keeper. They disclosed further that when the concerned workman was functioning as Store Keeper with utter surprise management vide office order no. 435 dt. 19/20-4-90 issued order of his promotion as General Clerk in clerical Gr. II.

On the contrary contention of the management is that as per JBCCI Circular the cadre of clerk and the cadre of Store Keeper are two different cadres and the job of the General Clerk and the job of the Store Keeper are also different. The general clerks are placed in clerical cadre while Store Keepers are posted in store cadre. Accordingly as the concerned workman by designation was clerk in clerical cadre there was no scope for his switching over to the post of Store Keeper without approval of the cadre controlling Authority. They further submitted that as the concerned workman was by designation clerk in clerical cadre in the year 1990 he got his promotion as clerk grade II in clerical Grade.

There is no dispute to hold that JBCCI has formulated Cadre Scheme in connection with different stream of jobs. As per the said circular the post of store keeper comes under the cadre of Store Keeper. Accordingly without approval of cadre Controlling Authority as there is no scope of changing designation from one cadre to another cadre it is to be looked into if the concerned workman started discharging his duties designating him as Store Keeper on being approved by the said Cadre Controlling Authority. The sponsoring union in course of hearing in spite of getting ample opportunity has failed to produce any such order. They have also failed to produce any cogent paper to show that he was officially designated as Store Keeper by the appropriate Authority prior to 1987. The contention of the sponsoring union as per written statement that in the year 1987 management issued service excerpt to the concerned workman wherein his designation was disclosed as Store Keeper. It is to be borne into mind that copy of service excerpt cannot be considered as Statutory document and for which just relying on that paper there is no scope to arrive into conclusion that he was a store keeper by designation.

If the claim of the concerned workman is taken into consideration in that case it should be presumed that he got his appointment as Store Keeper under Store Cadre. Naturally it is expected that he drew his wages as Store Keeper and not as clerk in clerical grade. It is seen that excepting reliance on the service excerpt the sponsoring union have failed to produce any supporting document. On the contrary it has been admitted by them that in the year 1990 management issued order of promotion in favour of the concerned workman as clerk grade II under clerical cadre and not under Store Cadre. There was no reason on the part of the management to issue such order had he not been in that cadre.

Accordingly, burden of proof is on the sponsoring union to substantiate their claim. It is to be taken into consideration that facts disclosed in the pleading cannot be considered as substantive piece of evidence until and unless the facts asserted therein as substantiated by adducing cogent evidence.

Record shows that sufficient opportunity were given to the sponsoring union to substantiate the claim of the concerned workman but they have misused the same in a very ugly manner. Accordingly, relying on the facts disclosed in the written statement there is no scope to uphold the contention of the sponsoring union for regularisation of the concerned workman as Store Keeper in Clerical grade II. In the result the following award rendered :

"That the demand of the union to regularise Sri S. K. Mitra as Store Keeper in clerical grade II of regional store under Govindpur Area of M/s. Bharat Coking Coal Ltd. is not proper and justified.

Consequently the concerned workman named above is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3763.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 10/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/182/2002-आई आर (सी-1)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3763.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the Award (Ref. No. 10/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad II now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-20012/182/2002-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1) (d) of the I.D. Act, 1947.

REFERENCE NO. 10 OF 2003

PARTIES : Employers in relation to the management of
Godhur Colliery, Kusunda Area of M/s. BCCL
and their workman.

APPEARANCES:

On behalf of the employers : Mr. U. N. Lal, Ld. Advocate

On behalf of the workman : None.

State : Jharkhand

Industry : Coal

Dated, Dhanbad the 5th September, 2005.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/182/2002-IR (C-I), dated, the 10-12-2002.

SCHEDULE

"Whether the action of management of Kusunda Area of M/s. BCCL in not regularising Sri Arjun, who as Night Guard is fair and justified? If not, to what relief is the concerned workman entitled and from what date?"

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf of brief is as follows :

The Sponsoring union submitted that the concerned workman was appointed as Miner/Loader by the management of Godhur Colliery on 19-9-92. Thereafter, by order of the local management dt. 9-12-95

he was directed to perform his duties as night guard. They submitted that after receipt of the said order the concerned workman joined to his post of night Guard and in that capacity he performed his duties from 1995 to 2001, continuously. They alleged that thereafter on the basis of verbal order he was reverted back to his post of Miner/Loader to which he raised his protest. They submitted that during this period the concerned workman as night guard put his attendance for more than 271 days. The sponsoring union alleged that management without regularising the concerned workman to the post of night guard illegally and arbitrarily reverted him back to the post of Minor/Loader for which he raised an Industrial Dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication.

The sponsoring union accordingly, submitted prayer to pass award directing the management to regularise the concerned workman as Night Guard with effect from 9-12-95 with back wages and other consequential relieve.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that the concerned workman along with Rambahadur Harijan and Mahendra Kewat were temporarily authorised by the Project Officer of Godhur Colliery to work as Night Guard vide office order No. BCCL/A6/GC/PO/95/1087 dt. 9-12-95 with a view to gain experience and if found fit as per norms to be absorbed permanently from piece rated to monthly rated employee in Security Cadre.

They submitted that the concerned workman was found not capable to discharge the duty of Security Guard in effective way. They submitted that on keeping watch on him it was found that his performance for the said post of Night Guard was not up to the mark and for which they decided to send him back to his original post. They submitted that the others two workman deployed to perform the job of Security Guard along with the concerned workman were found suitable after trade test conducted by the committee and for which they were regularised to the post of Security guard. They submitted that the job of Security Guard requires capability on the part of the employee concerned for protection of the property of the Company. They submitted that as the committee did not find the concerned workman capable for discharging the duties and the responsibility of Security Guard it was decided to revert him back to his original assignment and in doing so they neither committed any illegality nor took any arbitrary decision. Accordingly they submitted prayer

to pass award rejecting the claim of the concerned workman.

3. Points to be decided

"Whether the action of the management of Kusunda Area of M/s. BCCL in not regularising Sri Arjun Mahato as Night Guard is fair and justified? If not, to what relief is the concerned workman entitled and from what date?"

4. Finding with reason

It transpires from the record that since submission of the Written Statement by the sponsoring union they did not consider necessary to appear before the Tribunal on a single occasion to take further steps in the matter of hearing of this case. Accordingly, the case was fixed for adducing *ex parte* evidence on the part of the management but management too have failed to adduce any evidence and for which the case was closed and kept reserved for passing award *suo moto* to answer the reference.

Considering the pleadings submitted by both sides there is no dispute to hold that initially concerned workman was engaged as Miner/Loader at Godhar Colliery. It is also admitted fact that project officer of the said colliery by office order No. BCCL/AL/GC/PO/95/1087 dt. 9-12-95 gave the concerned workman a change to prove his competency for his regularisation as security guard. It is the contention of the management that such opportunity was also given to workman Ram Bhadur Harijan and Mahendra Kewat along with the concerned workman. They disclosed that in course of time on keeping watch on these workmen they found that the concerned workman was not capable to discharge his duties as Night Guard. They further submitted that during trade test conducted by the committee the other two workmen were found suitable and competent to be considered as security guard and for which they were regularised in the said post. As the concerned workman was not found fit he was reverted back to his original post.

On the contrary the sponsoring union submitted that though the concerned workman was posted as security guard and worked in that capacity continuously from 1992 to 1995 he was reverted back to his original post illegally and arbitrarily. As per submission of the sponsoring union burden of proof rests on the sponsoring union to establish that the concerned workman actually was appointed to the post of Night guard/security guard by the management from his original post of miner/loader. It is clear from the record that they have failed to produce a single scrap of paper in support of such claim. It has been submitted by the management that the Project Officer by his order allowed two other workmen along with the concerned workmen

to gain their experience temporarily before they were considered competent to be regularised as security guard.

It is to be borne in mind that the post of security guard is important considering the fact that protection of the properties of the Company depends on how they are capable to exert their sincerity in performing their duties. Appointment in the post of security guard and permission to work as such temporarily with a view to give them opportunity to gain experience for their absorption in the said post subject to proving their efficiency is quite different one.

From the facts disclosed by the management it transpires that after achieving experience. Trade test was conducted by the committee formed by the management where the two other workmen while proved their efficiency the concerned workman was found not suitable and for which he was reverted back to his original post.

Record shows that inspite of placing their grievance in the written statement the sponsoring union did not consider necessary to substantiate the same. It is settled principle of law that facts disclosed in the written statement cannot be considered as substantive piece of evidence to justify the claim in question until and unless it is established by adducing cogent evidence management in their written statement have clearly assigned the reason under which circumstances they could not regularised the concerned workman to the post of night guard/security guard. The sponsoring union inspite of getting ample opportunity to rebut such claim of the management have grossly misused the same.

Accordingly, in view of the facts & circumstances discussed above. I hold that the concerned workman just relying on the facts disclosed in the written statement is not entitled to get any relief in view of his prayer.

In the result the following award is rendered:

That the action of the management of Kusunda Area of M/s. BCCL in not regularising Sri Arjun Mahato as night guard is fair and justified. Consequently, the concerned workman named above is not entitled to get any relief.

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3764.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/त्रम न्यायालय धनबाद-II के पंचाट (संदर्भ संख्या 176/2000)

को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/303/2000-आई आर (सी-1)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3764.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 176/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad II now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-20012/303/2000-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT

INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

SHRI B. BISWAS,
Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1) (d) of the I.D. Act, 1947.

REFERENCE NO. 176 OF 2000

PARTIES : Employers in relation to the management of
Sijua Area of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the employers : Mr R.N. Ganguli,
Ld. Advocate

On behalf of the workman : Mr. U.P. Sinha,
Ld. Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad the 5th September, 2005

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/303/2000(C-I), dated, 22-11-2000.

SCHEDULE

“Whether the demand of Rashtriya Colliery Mazdoor Sangh for regularisation of Sri Rabindra Narayan

Kapoor, Fitter Helper in the post of Clerk is legal and justified? If yes, what relief the workman concerned is entitled to?”

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :

The sponsoring union submitted that the concerned workman was appointed by the management as per clause 10-4-3 of N.C.W.A.II in the year 1993. They submitted that Senior Executive Engineer (Excavation) by office order dt. 4-12-93 deputed the concerned workman to work as clerk and further directed him to look-after the maintenance of H.E.M.M. log books and assist the Store Keeper. They disclosed that since then he is working as a clerk in the stores of the Excavation Department. Again the Senior Executive Engineer, Tetulmari OCP by office order dated 1-4-94 directed him to continue in the job of clerk for maintenance of H.E.M.M. log book and to assist stores.

They submitted that in the capacity of clerk the concerned workman continuously worked for more than 240 days and as such he is entitled for regularisation in the post of clerk. They further submitted that the Project Officer, Tetulmari Colliery recommended his name for regularisation in the post of clerk *vide* letter No. LOTC/P-47/999/99 dt. 6/7-5-99 but that recommendation was not acted upon and for which Industrial Dispute was raised.

The sponsoring union accordingly, submitted prayer to pass award directing the management to regularise the concerned workman as clerk w.e.f. 4-12-93 along with back wages and other consequential relieve.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that the concerned workman was deployed as Fitter helper at Tetulmari Colliery of Sijua Area as a time rated worker. Subsequently, on his prayer he was posted at O.C.P. Stores as General Mazdoor. Thereafter he was deployed in Safety Department where also he is working as time rated worker.

They submitted that the concerned workman was never deployed as a clerk. They disclosed that a time rated worker can not be deployed in clerical job without express permission from Head Quarter of the Company as there is complete ban on such diversion of employees.

Accordingly they submitted that question of his regularisation in the post of clerk does not arise and for which his claim is liable to be rejected.

4. POINTS TO BE DECIDED

"Whether the demand of Rashtriya Colliery Mazdoor Sangh for regularisation of Sri Rabindra Narayan Kapoor, Fitter Helper in the post of clerk is legal and justified. If yes, what relief the workman concerned is entitled to?"

5. FINDINGS WITH REASONS

It transpires from the record that in course of final hearing inspite of giving consecutive chances neither the concerned workman nor the sponsoring union appeared and adduced evidence with a view to substantiate their claim. Management also declined to adduce any evidence on their part.

In view of this position considering the pleadings of both sides let it be considered if the claims of the sponsoring union stands on cogent footing.

Considering the pleadings of both sides there is no dispute to hold that the concerned workman got his service under the management as a time rated worker.

The contention of the sponsoring union is that Senior Executive Engineer (Excavation) by order dt. 4-12-93 deputed him to work as clerk and also directed him to look after the maintenance of HEMM log books and to assist the Stores. By further Order dt. 1-4-94 issued by the Senior Executive Engineer he was allowed to continue such work. Further contention of the sponsoring union as per written statement is that Project Officer, Tetulmari Colliery by letter No. LOTC/P-47/999/99 dt. 6/7-5-99 recommended the name of the concerned workman to Head Quarter for his regularisation in the post of clerk as he worked for more than 290 days continuously in that capacity. The sponsoring union alleged that the said recommendation was not adhered to by the appropriate Authority.

On the contrary from the contention of the management it transpires that there is a strict ban in respect of regularisation of any worker from one stream to another stream.

They submitted that the concerned workman got his appointment as time rated worker and on his prayer he was posted at O.C.P. Stores as General Mazdoor and subsequently he was deployed in the Safety Department also as a time-rated worker. They categorically denied the claim of the sponsoring union that by office order the concerned workman was deployed as a clerk.

Considering this position there is no doubt to say that burden of proof shifts on the sponsoring union to establish that under direction of the management he was deputed to work as clerk. The sponsoring union in support

of their claim relied on two letters dt. 4-12-93 and 1-4-94 issued by Senior Executive Engineer (Excavation). They also relied on the letter dt. 6/7-5-99 issued by the Project Officer, Tetulmari Colliery wherein the said officer recommended the name of the concerned workman for his regularisation on the post of clerk. It is curious to note that inspite of reliance on those letters the sponsoring union did not consider necessary to produce the same. Accordingly there is no scope at all to draw any conclusion in favour of the concerned workman just relying on such submission.

It is the specific contention of the management that there is a strict ban on conversion of one category of workman to another category of workman. Disclosing this fact it has been submitted by the management that the concerned workman when was appointed as time-rated worker can not claim his diversion to the job of clerk which comes under cadre scheme. N.C.W.A. has clearly mentioned how a person will be eligible to get his appointment in clerical service which comes under cadres scheme. The sponsoring union relying on the order of Senior Executive Engineer has claimed regularisation of the concerned workman in the post of clerk. Firstly in support of such claim they have failed to produce such order and secondly it is to be looked into if the said Senior Executive Engineer was Competent Authority to issue any such order. If it is not in that case any order issued by him bears no binding force for its implementation. The sponsoring union has failed to adduce any evidence to establish that Senior Executive Engineer being competent authority issued the said order. Therefore, when the order as claimed has no binding force relying on the same no relief can be sought for. It is the specific claim the management that the concerned workman was deployed as time-rated worker. Therefore, burden shifts on the sponsoring union that inspite of possessing that designation the concerned workman discharged his duties as clerk. I find no hesitation to say that in spite of getting ample opportunity they have failed to substantiate the claim also.

Accordingly, after careful consideration of all the facts and circumstances I hold that the sponsoring union has failed to substantiate the claim of the concerned workman and for which he is not entitled to get any relief.

In the result the following award is rendered *suo motu* :

"That the demand of Rashtriya Colliery Mazdoor Sangh for regularisation of Sri Rabindra Narayan Kapoor, Fitter Helper in the post of clerical grade is not justified. consequently the concerned workman named above is not entitled to get any relief.

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

Dated, Dhanbad, the 5th September, 2005

AWARD

का. आ. 3765.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 25/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-09-2005 को प्राप्त हुआ था।

[सं. एल-20025/4/1996-आई आर (सी-I)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3765.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 25/1996) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad-II now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BCCL and their workman which was received by the Central Government on 20-09-2005.

[No. L-20025/4/1996-IR (C-I)]

N.P. KESAVAN, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD**

Present :

Shri B. Biswas,
Presiding Officer.

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act., 1947

Reference No. 25 of 1996

Parties: Employers in relation to the management
Loyabad Colliery of M/s. BCCL and their
workmen.

Appearances :

On behalf of the workman : Mr. R.K. Pd. and
Mr. Rakesh Ranjan
Representative of the
workman

On behalf of the employers: Mr. D.K. Verma,
Ld. Advocate

State : Jharkhand

Industry : Coal

1. The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20025(4)/96-IR (Coal-I) dated the 29th March, 1996.

SCHEDULE

"Whether the claim of the Union that Shri Sukhdeo Chauhan is not an imposter and is a genuine worker of the management of Loyabad Colliery of M/s. B.C.C.L. is justified? If so, whether he was illegally terminated? If so, what relief is the concerned workman entitled and from which date?"

2. The case of the concerned workman according to written statement submitted by the sponsoring union in brief is as follows :

The sponsoring union submitted that the concerned workman was a wagon loader at Loyabad Colliery but the management of that colliery terminated his service along with some other workmen and for which Secretary, R.C.M.S. Union raised Industrial Dispute against that order of illegal termination of services of those workmen.

They submitted that thereafter the management and the union entered in a settlement and management agreed to provide employment to the concerned workman along with other workmen and in consequence to that settlement management of Loyabad Colliery issued office order No. 76/3 dt. 2-6-77 allowing the workmen concerned to resume their duties. They disclosed that during the said period concerned workman fell ill and for which submitted application for medical leave which was duly granted by the management. Thereafter when the concerned workman requested for resumption of his duty management refused to allow him to work.

As a result the concerned workman raised Industrial Dispute through Bihar Sramik Sangh before ALC(C) for conciliation which ultimately resulted reference to this Tribunal for adjudication. They alleged that management illegally, arbitrarily and violating the principle of natural justice disallowed the concerned workman to resume his duty and for which they submitted prayer to pass award directing the management to reinstate him in service with full back wages and other consequential reliefs.

Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and facts which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that sometimes in 1975 some workmen including the concerned workman were stopped from work on account of their being suspected as imposters. Subsequently on representation made by R.C.M.S. Union the cases of these workmen were referred to the DIG (Chief Security) for verification. On the basis of the report received from DIG (Chief Security) their cases were discussed with the secretary, RCMS and an amicable settlement was arrived at.

They submitted that as per the memorandum of settlement arrived at between the management and R.C.M.S. union the claim of the concerned workman and one Raju Chouhan was dropped since they were not considered as genuine worker. Accordingly they submitted that the claim of the present union that the concerned workman was not an imposter finds no basis. They submitted that as the concerned workman is not a genuine workman he is not entitled to get any relief and for which they submitted prayer to pass award rejecting the claim of the sponsoring union.

4. POINTS TO BE DECIDED

"Whether the claim of the Union that Shri Sukhdeo Chauhan is not an imposter and is a genuine worker of the management of Loyabad Colliery of M/s. B.C.C.L. is justified? If so, whether he was illegally terminated? If so, what relief the concerned workman entitled and from which date?"

5. FINDING WITH REASONS

It reveals from the record that inspite of getting sufficient opportunity as the sponsoring union has failed to take appropriate steps with a view to substantiate the claim of the concerned workman the instant case was fixed for exparte evidence of the management.

Management in course of hearing the case exparte examined one witness as M. W. I in support of their claim.

Considering the pleadings of both sides and also considering evidence of M. W. I there is not dispute to hold that concerned workman was engaged as worker by the management at Loyabad Colliery. There is also dispute to hold that management stopped the services of the concerned workman along with other workman with the allegation of being imposters. It is admitted fact that aggrieved by the said order of the management. Secretary R.C.M.S. Union raised an industrial Dispute. It is the claim of both sides that during pendency of hearing of the conciliation proceeding the R.C.M.S. Union and the Management entered into bipartite settlement about reinstatement of the workmen whose services were stopped.

The claim of the present union as per written statement that as a result of the outcome of that

settlement management decided to reinstate all workmen including the concerned workman and accordingly they issued office order. As per written statement it is further claim of the present sponsoring union that at that relevant time as the concerned workman was lying ill he submitted prayer to the management for medical leave which was duly sanctioned. Further claim of the sponsoring union is that after recovery from ailment when the concerned workman intended to resume his duty he was refused by the management to join his work illegally, arbitrarily and violating the principle of natural justice.

M. W. I during his evidence disclosed that the said bipartite settlement was executed between the management and the union on 22-4-78 which was marked as Exht. M-1. This witness disclosed that as per para 5 of that settlement reason was assigned why the claim for reinstatement of the concerned workman to his service was not considered.

M. W. I further disclosed that complying the provision as laid down in the Industrial Dispute Act the copies of the said settlement were sent to the Appropriate Authority. No incriminating material is forthcoming to the effect that the concerned workman being aggrieved with the contents of the said settlement challenged the same before the Appropriate forum within statutory period. Therefore, it is clear that said settlement had got its binding force.

As per para 5 of the settlement (Ext. M-1) the claim of the concerned workman was dropped since he was not considered as genuine employee. It is the submission of the management that as by false impersonification the concerned workman got his employment they were justified to stop him from his service. They further disclosed that even report of DIG also went against him and accepting the said report, the then sponsoring union accepted the terms of bipartite settlement and signed the same. According to written statement of the sponsoring union it transpires that management agreed to reinstate the concerned workman to his service as per the said Bipartite Settlement and to that effect issued office order. I do not find corroboration of this fact after careful consideration of the settlement in question. Therefore, onus was on the part of the sponsoring union to produce that office order in support of their claim but they have lamentably failed to produce the same.

When the said Bipartite Settlement is very much binding on both sides burden of proof rests on the sponsoring union to establish that the concerned workman was a genuine person and not obtained his job being impersonator. The said Bipartite Settlement was executed as far back as on 22-4-78 and though the present sponsoring union has got ample opportunity within a span of more than 25 years did not consider

necessary to come forward with a view to substantiate the claim in question. It is settled principle of law that facts disclosed in the written statement can not be considered as substantiate piece of evidence until & unless it is substantiated by cogent evidence. Record shows that in spite of getting sufficient opportunity the sponsoring union did not consider necessary to substantiate the claim of the concerned workman. Accordingly, based on the facts disclosed in the written statement only I find no scope to pass award in favour of the concerned workman.

In the result the following award is rendered :

"That the claim of the Union that Shri Sukhdeo Chauhan is not an imposter and is a genuine worker of the management of Loyabad Colliery of M/s. BCCL is not justified. He was not illegally terminated and consequently, he is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का. आ. 3766.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद-II के पंचाट (संदर्भ संख्या 113/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-09-2005 को प्राप्त हुआ था।

[सं. एल-20012/295/1995-आई आर (सी-1)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3766.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 113/1996) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BCCL and their workmen, which was received by the Central Government on 20-09-2005.

[No. L-20012/295/1995-IR (C-1)]
N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Present :

Shri B. Biswas,

Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act., 1947

Reference No. 113 of 1996

PARTIES :

Employers in relation to the management
Amlabad Colliery of M/s. BCCL and their
workmen.

Appearances :

On behalf of the employers: Mr. H. Nath,
Ld. Advocate

On behalf of the workmen : Mr. K. Chakraborty,
Ld. Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 5th September, 2005

AWARD

1. The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/295/95-IR (Coal-I) dated the 11th October, 1996.

SCHEDULE

"Whether the claim of the Union that Shri Sagar Hari is working as Dispensary Clerk and therefore is eligible for his regularisation as Dispensary Clerk, is legal and justified? If so, to what relief is the workman entitled?"

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :

The sponsoring union submitted that the concerned workman has been working as Dispensary clerk since 1980 continuously under direction of the management and put his attendance for more than 210 days in each year. They submitted that inspite of getting knowledge of this fact management did not consider necessary to regularise him as Dispensary Clerk though as per cartified standing order and policy decision of the management he deserved regularisation in the said post. They submitted that as the management ignored the claim of the said workman he submitted several representations with prayer for his regularisation as Dispensary Clerk but the management illegally and arbitrarily ignored his claim. As a result through sponsoring union he raised an Industrial Dispute before ALC(C), Dhanbad for conciliation which ultimately resulted reference to this Tribunal for adjudication.

The sponsoring union on behalf of the concerned workman submitted prayer to pass award directing the management to regularise the concerned workman as Dispensary Clerk with retrospective effect alongwith consequential relief.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They disclosed that the concerned workman as appointed as sweeper on 7-10-71 and was placed in Tech. Sup. Grade-H w.e.f. 1-6-78. He was further upgraded as Tech. Sup. Grade-G w.e.f. 1-7-91. They categorically denied the fact that the concerned workman even worked as Dispensary Clerk under direction of the management. Actually he is a wardboy and for which he is properly graded.

They further disclosed that for the post of clerk minimum qualification as per norm of the Company and also as per cadre scheme is Matriculation but the concerned workman is a non-matriculate and for which they was no question of his appointment as a clerk. Management categorically submitted that the claim of the sponsoring union is baseless and for which there is no scope to consider the same and for which the same is liable to be rejected.

4. POINTS TO BE DECIDED

"Whether the claim of the Union that Shri Sagar Hari is working as Dispensary Clerk and therefore is eligible for his regularisation as Dispensary Clerk, is legal and justified? If so, to what relief the workman entitled?"

5. FINDING WITH REASONS

It transpires from the record that the sponsoring union with a view to substantiate their claim examined the concerned workman as W.W.I. Management on the contrary did not adduce any evidence on their part.

Concerned workman i.e. W.W. I during his evidence disclosed that though by designation he is a wardboy by order the management he was asked to collect medicine from Bhowra or local market and to assist Mr. P. N. Sharma. He submitted that P. N. Sharma was the Dispensary Clerk at Amlabad Colliery. As he was suffering from paralysis it was not possible on his part to perform his duties as Dispensary Clerk and for which management issued that order dated 19-12-83 which during his evidence was marked as Exht. W-1. He further disclosed that said P. N. Sharma died in the year 1988 and thereafter Dy. CME, Amlabad Project by Ref. No. BCCL : 88; AMBD dated 12-7-1988 directed him to lookafter the store work (Medicine) temporarily till arrangement is done. By the same order he was further advised to see the Medical Officer in the morning hours

when he is in the night shift for requirement of medicine if any. The said office order as referred to above during his evidence was marked as Exht. W-2. This witness disclosed that still he is performing the store work continuously as the Management have not yet posted any store clerk. He further disclosed that since 1988 he is continuously performing his duties as Store clerk without any break. He further disclosed that as Dispensary Clerk he used to maintain all the requisites in the store. To substantiate this claim he called for certain registers in original from the management but he alleged that Management without any reason did not consider necessary to produce these registers. he disclosed that had those registers been produced it would expose how continuously he is performing his duties as Dispensary Clerk.

The documents marked as Exht. W-1 shows clearly that he was authorised to assist to collect medicine from Bhowra and local market and also to assist Mr. P. N. Sharma. It has not been denied by the management that P. N. Sharma was not the Store clerk of Amlabad dispensary. It has also not been denied by the Management that said P. N. Sharma was not a Paralytic Patient. Obviously there is reason to believe that the said order marked as Exht. W-1 was issued by the management to help Mr. P. N. Sharma by the concerned workman in proper functioning of the stores.

It is specific claim of the concerned workman that said P.N. Sharma died in the year 1988 and as a result the post of Dispensary Clerk in the Dispensary fell vacant. This fact also was not denied by the Management. Management on the contrary issuing order dated 12-7-1988 marked as Exht. W-2 authorised the concerned to lookafter the Store work (medicine) temporarily till arrangement is done. By the said order he was also directed to assist the Medical Officer on duty in the morning hours for supply of medicine, if required. This order shows that job assigned to the concerned workman was the job of dispensary clerk. It is the specific claim of the concerned workman that the said job of Dispensary Clerk though assigned to him temporarily he is still discharging his duties as such as the management failed to post any Dispensary Clerk in place of Mr. P. N. Sharma who died in the year 1988. In course of hearing management by adducing any evidence have failed to deny his such specific claim. Management also failed to deny that till date continuously the concerned workman is not discharging his duties as Dispensary Clerk. No satisfactory explanation is forthcoming on the part of the management why they have failed to produce the registers which the sponsoring union called for. Therefore, in absence of cogent evidence on the part of the management I find little scope to ignore the claim of the concerned workman. On the contrary the two orders Exht. W-1 and W-2 which the concerned workman relied on the course of hearing have definitely affirmed his claim about discharging his duties as dispensary clerk.

As per written statement submitted by the management it has been disclosed that designation of the concerned

workman was ward boy and for which the claim made by him has no basis at all. They further submitted that the concerned workman is a non-matriculate and for which as per norms of the company he is not eligible to get the post of Dispensary clerk. There is no dispute to hold that designation of the concerned workman was 'Ward boy'. Knowing fully well of this fact management by issuing orders marked as Exht. W-1 & W-2 asked him to perform the jobs of Dispensary clerk and in passing the said orders they even ignored his academic qualification. Therefore, there is scope to draw conclusion that those orders were passed ignoring his qualification as they considered him competent for performing such duties. It is fact that by order marked as Exht. W-2 he was authorised to performed the duties of Dispensary clerk on temporary measure till arrangement is done. From the evidence of W.W. 1 it is seen that he is discharging such duties till date and this fact which he asserted has not been denied by the management in any manner.

Therefore from 12-7-88 to till date he is discharging higher responsibility of Dispensary clerk for years together and during those long years management have failed to make any proper arrangement in the matter of posting a regular Dispensary clerk. This means that management considering him a competent worker allowed him to discharge his duties as Dispensary clerk knowing fully well that he was by designation a 'Ward boy'. There is no evidence if management paid him wages for rendering his higher responsibility. Therefore, there is reason to believe that they exploited the concerned workman for years together without giving him minimum benefit when the concerned workman raised Industrial Dispute, they taking the plea that as he is non-matriculate his claim could not be supported but ignored totally that knowing fully well of his qualification he was entrusted by them to perform high responsibility. There is no allegation that he failed to perform such higher responsibility properly which he was entrusted to. Therefore, I consider that management have been estopped from raising such plea.

Record shows that sufficient opportunity were given to them to adduce evidence with a view to refute the claim of the concerned workman. It is settled principle of law that facts disclosed in the pleading can not be considered as substantive piece evidence excepting the admitted facts. Therefore, burden of proof to rebut the claim of the concerned workman was on the management but it is seen that they have grossly misused the scope given to them in course of hearing.

Considering all facts and circumstances disclosed above I hold that the sponsoring union has been able to substantiate the claim of the concerned workman properly and for which he is entitled to get relief.

In the result the following award is rendered :

"That the claim of the Union that Sh. Sagar Hari is working as Dispensary clerk and therefore is eligible

for his regularisation as Dispensary clerk is legal and justified.

Management is direct to regularise the concerned workman as Dispensary clerk w.e.f. the date of reference i.e. 11-10-1996. with full back wages and consequential relieve within three months from the date of publication of the award in the Gazette of India."

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का. आ. 3767.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2 नई दिल्ली के पंचाट (संदर्भ संख्या 48/1999 को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-09-2005 को प्राप्त हुआ था।

[सं. एल-22012/111/1998-आई आर (सी-II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3767.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 48/1999) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Food Corporation of India and their workman which was received by the Central Government on 21-09-2005.

[No. L-22012/111/1998-IR (C-II)]

N. P. KESAVAN, Desk Officer.

ANNEXURE

BEFORE THE PRESIDING OFFICER : CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT (NO-II) AT NEW DELHI

PRESIDING OFFICER : R. N. RAI.

I.D. NO. 48/1999

in the matter of :—

The General Secretary,
FCI Office Staff Association,
Site-II, 180,
DDA Flats, Vikasपुरी,
New Delhi.

VERSUS

The Executive Director (Personnel),
Food Corporation of India,
16-20, Barakhamba Lane,
New Delhi-110001.

AWARD

The Ministry of Labour by its Letter No. L-22012/111/98/IR(CM-II) Central Government Dated 27-1-1999 has referred the following point for adjudication.

The point runs as hereunder :

“Whether the action of the management of Food Corporation of India HQ, New Delhi in withdrawing Office Order No. PF/J-129/E-II dated 28-5-1996, allowing pay at par with juniors to Shri J. L. Butta, A. G.—I(M) is justified? If not to, what relief is the workman entitled?”

The workman has filed statement of claim. In the statement of claim it has been stated that the Food Corporation of India is a statutory organization established by an act of Parliament called the Food Corporation of India Act, 1964 (37 of 1964). That the service conditions of the employees of the Corporation are governed by FCI (Staff) Regulations, 1971 which were made applicable with the prior sanction of the Government of India as envisaged in Section 45 of the Food Corporation of India, Act, 1964 and therefore, as statutory force.

That the workman Shri J. L. Butta was appointed as AG III (M) in Regional Office, Delhi vide office of appointment letter No. A 1(1)/71 dated 25-02-1971 in the scale of Rs. 120-10-240 (Annexure P-I). In response to this offer of appointment the workman joined his duties as AG III(M) in Regional Office, Delhi in the forenoon of 1st March, 1971 (Annexure P-II). Similarly on his juniors, Shri Jagdish Lal was also appointed as AG. III (M)/Typist in the scale of Rs. 120-10-240 vide offer of appointment letter No. A-1(5)/71 dated 16-04-1971 (Annexure P-III), who joined his duties as A.G. III (M) on 24-04-1971.

That the above fact has also been indicated in the Zonal Seniority list circulated vide ZO (North) letter No. 5(16)/85-E.III/AG.I (M) dated 01-11-88/06-01-89, where the name of the workman has been shown at Sl. No. 496 and the name of his junior Shri Jagdish Lal is mentioned at Sl. No. 512—Annexure-IV.

That the workman was promoted as AG-II (M) and joined in the promoted capacity on 08-12-1973 and his pay was fixed as Rs. 380/- on 08-12-73 in pay scale of 380-12-440-15-560-20-640. Similarly the junior was promoted as AG II (M) and joined his duties on promotion as AG. II (M) on 21-06-75 and his basic pay was also fixed on promotion as Rs. 380/- in the pay scale of Rs. 380-12-440-15-560-20-640.

Further the workman was promoted to the post of AG.I (M) and joined on promotion on 15-10-77 and his basic pay was fixed at Rs. 450/- in the pay scale of Rs. 450-15-555-20-675-25-850. Similarly the junior to the workman Shri Jagdish Lal was also promoted as AG. I(M) on 26-10-77 and his basic pay was fixed on promotion as Rs. 450/- in the pay scale of Rs. 450-14-555-20-675-25-850.

That in view of the promotion from different dates the junior of the workman was rightly drawing less pay As on 01-01-76 the basic salary of the workman was Rs. 416/- whereas the junior was drawing Rs. 392/- thus the workman was drawing two increments more than his juniors as on 01-1-76.

That the cause of action arose when the management issued a circular bearing No 17/1992 from file No. EP-17-21/83-Vol. I dated 25th May, 1992 allowing certain class of employees to opt for revised pay scale from any date between 01-05-76 to 31-12-79 with a view to eliminate/minimize hardships being faced by some employees. As a result of the circular the junior to workman Shri Jagdish Lal opted for revised pay scale w.e.f. 01-01-76. This circular as is evident from its contents was issued just to eliminate/minimize hardship by some employees. As such this was not at all helpful or of any benefit to the workman, no instructions repeat no instructions were issued by the management as to how the interest of the seniors are to be protected in case the pay of the juniors exceeds the seniors. As a matter of fact the management committed grave violation of rules under which the juniors cannot draw more pay than their seniors and compelled the workman to represent his case before the management. Accordingly the workman represented his case to the management against this action immediately after issuance of the orders about fixation of pay of the junior to the workman and requested for stepping up of his pay equivalent to his junior as on 01-01-76 if not more. Management took a considerable time in examining the matter from various angles i.e. administrative, legal and finally with the concurrence of Finance issued office order No. PF/J-129/E.II date 28-5-96 stepping up his pay at par with his juniors (Annexure P-V). accordingly arrears etc. were paid.

That the management in June, 1997 took a decision unilaterally to withdraw the office order No. PF/J-129/E.II dated 25-06-97 (Annexure P-VI) with *malafide* intention. Necessary orders to recover the amount already paid were also incorporated in the said order. No reasons for withdrawal of the orders were intimated to the workman.

Subsequently it transpired during the course of discussions before the ALC (C) that the orders of stepping up of pay were withdrawn because another similarly situated employee represented his case for stepping at par with his juniors. No reasons or rules under which these orders of stepping up were withdrawn were not cited. The management failed to bring any rules under which the orders in questions were issued. A copy of the admitted facts filed by the management before the ALC(C) is annexed as Annexure-VII.

That the action of the management about withdrawal of office order No. PF/J-129/E.II dated 28-05-96 stepping of his pay at par his junior is illegal, *malafide* and without the

force of any rules and regulations particularly when the said order was issued after thorough examination by different wings of the management.

That the Hon'ble Supreme Court of India in its order in cases when the senior drew pay as compared to their juniors in selection grade cases held that the juniors should not have drawn more pay than the senior in the lower capacity by virtue of normal rules of pay fixation or additional increments or any advance increments granted to him. In this context Hqrs. Circular No. 29/1998 bearing file No. WRC/32/12/98 dated 22-07-98 is relevant. A copy of the same is annexed vide Annexure-VII.

That the management while withdrawing the order dated 28-05-1996 unilaterally did not notify any reasons/rules/regulations to the workman under which it was done. Thus the action of the management is against the provisions of Industrial Disputes Act, 1947.

The workman has filed written statement. In the written statement it has been stated that the workman in this case has filed written statement instead of filing the statement of claim. In any case treating this written statement to be as the claim statement of the workman, the respondent management submit their reply accordingly and pray to the Hon'ble Court to direct workman to amend this written statement by the 'words' describing it to be the claim statement of the workman so that there is no ambiguity in the pleadings. In fact the workman was duty bound to file the statement of claim.

Shri Jagdish Lal joined FCI on 16-12-69 as AG.III(D) in the scale of pay of Rs. 120-10-240. He joined as Typist on 24-04-71 and the competent authority had fixed his pay of Rs. 140/- in the above mentioned scale whereas Shri J.L. Butta was appointed in the Food Corporation of India as AG. III(M) on 01-03-71 on fresh appointment and his pay has been fixed at the minimum of the pay scale i.e. Rs. 120/- per month in the scale of pay of Rs. 120-10-240. As per provisional seniority list of AG.I Shri J.L. Butta has been shown senior to Shri Jagdish Lal, AG.I presently working in the FCI, Hqrs. Thus the case of Shri J.L. Butta is not comparable to stepping up at par with Shri Jagdish Lal. Shri J.L. Butta joined FCI two years after the appointment of Shri Jagdish Lal as AG.III(D).

The fact remains that Shri Jagdish Lal is the senior appointee to that of Shri Jagdish Lal is the senior appointee to that of Shri J.L. Butta in the services of FCI in depot cadre and he opted change in the cadre for the appointment to the post of Typist, a post under Ministerial Cadre. He was accordingly appointed to the post of Typist after appointment of Shri J.L. Butta in the Ministerial Cadre and thus he become junior to Shri J.L. Butta in the Ministerial cadre. The basic background is that Shri Jagdish Lal has rendered more service in the FCI and the post of Typist was acquired by him while he was already working in FCI and can be treated as senior as for as length of service.

It has already been stated that Shri J.L. Butta is junior to Shri Jagdish Lal as much as length of seniority in FCI is concerned that Shri Butta is junior because he was appointed in the year 1971 whereas Shri Jagdish Lal was already in the service in the Corporation as AG.III(D) since 1969.

As per instruction contained the Circular No.13 of 1997 dated 09-09-1997 those employees who fulfils the following conditions are entitled to step up of pay:—

(i) Both the junior and senior employee should belong to the same cadre in the lower as well as higher posts. Both the junior and senior are/were in the same pre-revised and revised scales of pay in the lower and higher posts.

(ii) Senior was drawing more or equal pay in the lower post as on 31-01-1992 in the pre-revised scale in comparison to his junior.

As per FCI Staff Regulation 1971 seniority of all Cat.III post are maintained separately whereas AG.III(D) or AG. III, AG. II and AG. I (M). After he joined as Typist the seniority of Shri Jagdish Lal has been fixed after the name of Shri J. L. Butta, AG. II and AG. I (M) from time to time, but so far as seniority in the corporation Shri Jagdish Lal joined corporation in the year 1969 whereas Shri J. L. Butta had reported for duty in the year 1971.

It is stated that circular was issued by FCI vide No. 42 of 1991 dated 30-10-1991 in which Shri Jagdish Lal, AG. I (M) who was junior to Shri J. L. Butta exercised option and got the benefits of one increment w.e.f. 01-01-1976 as he was covered under the said instructions, whereas Shri Butta had not exercised any such option.

It is stated that the case of Shri J. L. Butta for stepping up of his pay at par with Shri Jagdish Lal was also agreed with the concurrence of Finance as well as in consultation with the Manager (Legal) and orders were issued vide No. PF/J-129/E-II dated 28-05-96 and arrears were also released.

It is stated that the case was reconsidered by the Finance Division of FCI when another similar case of Shri P. G. Narayanan who is also senior to Shri Jagdish Lal represented for stepping up of his pay at par with Shri Jagdish Lal and his case was not agreed to. Therefore, it was desired by AFA (Finance), with the approval of ED(P) to review the stepping up of pay, case of Shri J. L. Butta which was not comparable to that of Shri Jagdish Lal and hence, Shri Butta was not entitled for stepping up of pay reasons put forward were that Shri Jagdish Lal was covered under the specific instructions issued under Circular No. 17 of 1992 dated 25-05-1992 as he exercise his option and the case of Shri Butta does not fall under any of the instruction issued by E.P. Section. As such the orders issued earlier vide No. PF/J-129/E-II dated 28.05.1996 had to be withdrawn.

It is stated that the case has been reconsidered on the basis of the instructions of FCI issued from time to time and the rules and regulations in force after examining the same in consultation with AFA(Fin.) and as such it is denied that the action of the management is illegal and malafide. It is also added here that while reconsidering the case of withdrawal of the orders, the management again routed the case through all the wings of the management as done in the case at that time of issue of first order dated 28-05-96. Therefore, the management has ratified the case in accordance with the existing instructions issued by the corporation.

Management also reserves the right to file any additional information/point relevant to the subject-matter and also to amend or alter the reply based on the facts during the pendency of the dispute.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman applicant that he was appointed on 01-03-1971 at the basic pay of Rs. 120-10-240 and his junior Shri Jagdish Lal was appointed in the same pay scale w.e.f. 24-04-1971 so Shri Jagdish Lal is junior to him. In the seniority list the name of the applicant appears at Sl. No. 494 and the name of his junior Shri Jagdish Lal appears at Sl. No. 512 so in 1989 the workman was senior to Shri Jagdish Lal. The workman was promoted on 08-12-1973 at basic pay of Rs. 380/- and Shri Jagdish Lal was also promoted on 26-06-1975 at basic pay of Rs. 380/-. The workman applicant was again promoted to AG.I(M) on 15-10-1977 at basic pay of Rs. 450/-. Shri Jagdish Lal was also appointed on 26-10-1977 at the basic pay of Rs 450/-. These facts indicate that Shri Jagdish Lal has also been junior to him and he has been promoted accordingly. The cause of action as a matter of fact arose on 01-01-1976 as admitted by the management in its office order bearing No. PF/J-129/E.II dated 28-05-1996. The petitioner was workman at that time so this Tribunal/Court has got jurisdiction to decide this cases as jurisdiction always dates back to the time when the cause of action arose

It was submitted from the side of the management that he is in a managerial capacity but he was not so when the cause of action arose so this Tribunal/Court has jurisdiction to decide this issue. According to Circular No. 29/1988 dated 27-07-1998 the pay of a senior is stepped up if junior is allowed to draw more pay than his senior in the

event of instructions issued at later date. Shri Jagdish Lal was not junior to the applicant so he should get salary equal to Shri Jagdish Lal. The stepping up provision has been made so that there may not be incongruity/ambiguity in the pay scales. An office letter was issued on 28-05-1996 for stepping up of his pay scale but the said office letter was withdrawn by office order No. PF/J-129.E.II dated 25-05-1997. The management removed the ambiguity regarding pay scales of senior and junior on 28-05-1996 with the concurrence of the finance but this letter was withdrawn on 25-05-1997 without assigning any reason.

It was submitted from the side of the management that an option was given. Shri Jagdish Lal opted for that whereas the workman applicant did not opt for that so there is difference in pay scale. No scheme or option can place junior to senior and if it arose out of an option exercised, that option is irregular. The senior will always be senior even if he does not opt for certain circulars and directions. The salary of the pay scale of senior can be less than that of junior in case the senior employee foregoes his promotion. In the present case the workman applicant has not foregone any promotion. He may not have opted for a certain scheme but that should not deprive him of his pay scale. A letter has been issued for stepping up salary by Circular No. 29/1998 and the basic pay of the workman should have been stepped up but it has not been done so. So the action of the management withdrawing the office order dated 28-05-1998 is not justified. The workman applicant is entitled to get his emoluments according to the office order dated 28-05-1996 and arrears subsequent thereto.

The reference is replied thus :-

The action of the management of Food Corporation of India, HQ, New Delhi in withdrawing office order No. PF/J-129/E.II dated 28-05-1996 allowing pay at par with juniors to Shri J.L. Butta, AG.I (M) is not justified. The workman applicant is entitled to get basic pay at par with his junior Shri Jagdish Lal from 28-05-1996. The management is directed to make entire payment of back wages accordingly within one month from the date of publication of the award

The Award is given accordingly.

Date: 16.09.2005.

(R.N. Rai, Presiding Officer)

नई दिल्ली, 21 सितम्बर, 2005

का. आ. 3768.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी., गाजियाबाद केन्द्रीय मंडल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, नई दिल्ली के पंचाट (संदर्भ

संख्या 70/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-09-2005 को प्राप्त हुआ था।

[सं. एल-42012/254/2002-आई आर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3768.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 70/2003) of the Central Government Industrial Tribunal-cum-Labour Court, No. 2, New Delhi now as shown in the Annexure, in the Industrial Dispute between the management of Central Public Works Department CPWD, Ghaziabad Central Division, and their workman which was received by the Central Government on 21-09-2005.

[No. L-42012/254/2002-IR (C-II)]

N.P. KESAVAN, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL CUM
LABOUR COURT -II, NEW DELHI
R. N. RAI : PRESIDING OFFICER**

I.D. NO. 70/2003

IN THE MATTER OF :-

Shri Brijendra Kumar Sharma
S/o Shri Shiv Kumar Sharma,
R/o. F-2, Ashok Vatika,
Lajpat Nagar, Sahibabad,
District Ghaziabad (UP).

VERSUS

The Executive Engineer,
Ghaziabad Central Division,
Central Public Works Department,
Hindon Airforce, Hindon,
Ghaziabad.
2. Central Public Works Department,
Nirman Bhawan, New Delhi Through,
The Director General of Works.

AWARD

The Ministry of Labour by its letter No. L-42012/254/2002/IR(CM-II) Central Government dated 8-5-2003 has referred the following point for adjudication.

The points runs as hereunder :—

“Whether the action the management, CPWD, Ghaziabad in terminating the services of Shri Brijendra Kumar Sharma, Computer Operator w.e.f. 15-7-2002 is legal and justified? If not, to what relief the workman is entitled to?”

The workman applicant has filed statement of claim. In the statement of claim it has been stated that the workman joined the services of CPWD on 1st July, 1999 as Computer Operator and he worked continuously till his services were terminated illegally on 15-7-2002. He was subjected to the recruitment procedures such as interview and verification of testimonials before giving employment w.e.f. 1-7-1999. He was paid initially a consolidated wages of Rs. 3500 per month. The wages were enhanced from time to time and lastly he was paid Rs. 4300 per month. He was employed by the management at its Divisional Office, Hindon Airforce Station, Hindon Ghaziabad (U.P.).

That the workman had been performing the duties of computer operator and other clerical works in the Divisional Office as assigned by the Executive Engineer and other officers. Though the workman was employed and performing work of the CPWD with ulterior motive and the workman had been shown as employee of contractor in the Identity Card and other documents. This action of the management is unfair labour practice. The workman was asked to keep silent and not to object for issuing the identity Card as “contract employee” and if objected the services would be terminated. Due to fear of losing employment the workman had kept silent and had no option except to obey the dictates of the Executive Engineer.

That right from 1-7-1999 to 15-7-2002 the service of workman was continuous one. The contractor was only a ploy. The work was assigned, supervised, and controlled by the officer of the management. The wages were paid by the management. He services of the workman were terminated illegally on 15-7-2002. The nature of work performed by the workman was regular and perennial in nature. The alleged contractor was only a ploy and camouflage. The real employer for all intents and purposes was the management hence, the workman was an employee of CPWD. The action of the management in calling the workman as contract labour is unfair labour practice.

That the management has issued certificate of employment and conduct certificate, and further the attendance register and payment records maintained by the management and other records would prove that the workman was/is an employee of the CPWD.

That there was no registration and licence obtained as required under the provisions of the Contract Labour (R & A) Act, 1970 by the CPWD and the alleged contractor. The contractor is only a ploy to avoid legal liability and therefore the action of the management is unfair labour practice. Not extending the benefits of ESI, PF, leave facilities, etc. itself is unfair labour practice. Not paying regular scale not extending other service benefit etc. also is unfair labour practice. Due to weak bargaining power of the workman, the management has exploited the workman by extracting regular and permanent nature of duties for

meager wages. The alleged contract, if any is a camouflage and not genuine or bonafide. Only to avoid and evade the liability under various labour laws and any legal right being accrued to the workman the management is taking the plea that the workman is a contract labour. This is false. The employer—CPWD cannot be permitted to violate the law.

That the workman was not given any appointment order though asked by him orally from time to time and due to fear of loosing employment could not take further steps. The management took advantage of weak bargaining power of the workman and it did not issue order of appointment nor paid the scale wages and other benefits including various types of leave except weekly off. The workman did perform duties on all days except the weekly off and he was paid only a consolidated wages of Rs. 4300 lastly per month and no other benefit of whatsoever nature was ever given to him. Therefore, the action of the management would amount to unfair labour practice.

That the workman understands that the management deliberately and with a view to deny the legal right accrued to him, has created documents to the effect that the workman was an employee of contractor. The workman was not employed by any contractor nor he was assigned any work or paid his wages by the so called contractor. The workman was employed in the employment of CPWD by the Executive Engineer at the Divisional Office, Hindon. The work was assigned and supervised by the officers of the CPWD. The wages were paid directly by the CPWD to the workman. The workman performed duties as assigned to him by the officers of the management which are of normal and routine clerical and computer work of permanent and regular nature.

That the workman was not paid any bonus. The facilities of ESI and PF were not given to him. No leave facilities were extended except the weekly off. Therefore, the management committed discrimination by its arbitrary actions and also unfair labour practice.

That the workman did mark his attendance daily in the register meant exclusively for him. Keeping a separate register of attendance instead of allowing him to sign the general attendance register wherein other employees used to mark their attendance is unfair labour practice. That after termination of the workman a fresh employee was taken to do the works performed by the workman by the management. Though physically the fresh employee is present in the premises office of the management at Hindon deliberately proper records are not being maintained to avoid legal liabilities. This would amount to unfair labour practice. The work performed by the workman was permanent and perennial nature and still work is there at Hindon Office of the CPWD.

That in gross violation of Section 25-F of Industrial Disputes Act, 1947 the services of the workman were terminated. No notice was given. No notice or notice pay nor retrenchment compensation was given to the workman at the time of termination of his services. Therefore, the mandatory section 25-F of the ID Act, 1947 has been violated and hence the termination is void ab initio. Therefore the workman is entitled to reinstatement with back wages and other consequential benefits.

That the workman sent a demand notice dated 29-7-2002 through his Advocate pointing out the illegal termination and demanding reinstatement and back wages. The management did not reply at all to the demand notice of the workman.

That the workman initiated conciliation proceedings in accordance with the provisions of the ID Act in respect of this illegal termination and due to the adamant and malafide attitude of the management, the conciliation ended in failure. The conciliation proceedings resulted in the present reference for adjudication.

It transpires from perusal of the order sheet that notice to the management has been sent twice and the notices have been served. The management has written a letter dated 8-7-2003 demanding copy of the claim statement of the workman applicant. There is no provision for sending copy of the claim statement to the management under the ID Act or CPC. Notice again has been served on the management. The management has again sent letter dated 23-7-2005. By this letter Shri Krishna Kumar, UDC has been made authorized representative so notice has been served two times but none appeared. No written statement has been filed. The case proceeded ex-parte. The workman has filed affidavit. Hence argument from the side of the workman.

It was submitted from the side of the workman applicant that on 6-5-2002 the Executive Engineer, Ghaziabad (Central Division) has issued a certificate that the workman applicant has been continuously working as Computer Operator from July, 1999 till date. This paper has been exhibited in the affidavit so it is admissible in evidence. According to the certificate of the management the workman has worked from July, 1999 to 6-5-2002. The management has also issued Annexure-WW I/4 and it has been certified that the workman applicant has been working for the last two years continuously. These two letters have been exhibited in the affidavit. These letters are photocopies but they are admissible in evidence as these letters have been exhibited in the affidavit and there is no cross examination of the workman on his affidavit. So the workman applicant is doubtless and employee of the management and the termination of his services is absolutely illegal. The workman applicant is entitled to get cost of litigation in the facts and circumstances of the case.

The reference is replied thus :

The action of the management, CPWD, Ghaziabad in terminating the services of Shri Brijendra Kumar Sharma, Computer Operator w.e.f 15-7-2002 is neither legal nor justified. The workman applicant is reinstated w.e.f. 15-7-2002 with full back wages and continuity of service. The management is directed to reinstate the workman w.e.f. 15-7-2002 and pay him entire back wages within one month from the date of publication of the Award. The management is also directed to pay Rs. 5000 (Rs. Five Thousand Only) by way of costs to the workman applicant. In case of default the workman applicant will be entitled to get 10% interest on the entire back wages.

The Award is given accordingly.

Date: 15-9-2005

R. N. RAI, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3769.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण / श्रम न्यायालय धनबाद-II, के पंचाट (संदर्भ संख्या 16/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/152/2004-आई आर (सी-1)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3769.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16/2005) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II, now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BCCL and their workman which was received by the Central Government on 20-9-2005.

[No. L-20012/152/2004-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT : Shri B. BISWAS, Presiding Officer.

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act., 1947

REFERENCE NO. 16 OF 2005

PARTIES: Employers in relation to the management of Pindra Colliery of M/s. CCL and their workman.

APPEARANCES:

On behalf of the workman	: None.
On behalf of the employers	: Mr. D.K. Verma, Advocate
State	Jharkhand
Industry	: Coal

Dated, Dhanbad, the 9th September, 2005

AWARD

1. The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/152/2004-IR(C-I), dated the 17th December, 2004.

SCHEDULE

"Whether the action of management of Pindra Colliery of M/s. CCL to dismiss Shri Magdish Mahto piece rated workman from the service of the company with effect from 7-11-2001 is justified? If not, to what relief is the workman entitled?"

2. In this case neither the concerned workman nor his representative was found present on the date fixed. Management side however, made appearance through their authorised representatives. It transpires from the record that registered notices and show cause notice were issued to the concerned workman/sponsoring union consecutively. In terms of Rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring to file written statement, complete with relevant documents, list of reliance and witnesses before the Tribunal within 15 days from the date of receipt of the order of reference from the Ministry. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the concerned workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of this case. Under such circumstances this tribunal also finds no reason to drag on the case *suo moto* for days together. Hence, the case is closed and a 'No dispute Award' is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3770.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 47/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/8/2002-आईआर(सी-1)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3770.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 47/2002) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-20012/8/2002-IR(C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

PRESENT:

Shri B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 47 OF 2002

PARTIES: Employers in relation to the management of B.C.C.L. and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : None

State: Jharkhand Industry: Coal.

Dated, Dhanbad, the 9th September, 2005

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/8/2002-IR (C-I), dated, the 21/30-5-2002

SCHEDULE

"Whether the denial of regularisation and relevant wage to Sri Rajo Sao in the post of Pay Loader Operator by the management of BCCL, Bastacolla Area is legal and justified? If not, what relief is the concerned workman entitled and from what date?"

2. In this case neither the concerned workman nor his representative was found present on the date fixed. None also appeared on behalf of the management. It reveals from the record that the instant reference case is pending since 2002 for disposal. It further transpires from the record that sufficient opportunities have been given to the parties but inspite of giving ample opportunities they failed to turn up before this Tribunal and even they did not consider necessary to submit Written Statement on their behalf. Gesture of the parties if is taken into consideration it will expose clearly that they are not interested to proceed with the hearing of this case. Under such circumstances it is needless to adjourn the case *suo moto* for days together. Accordingly a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3771.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 84/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/590/2000-आईआर(सी-1)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3771.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 84/2001) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-20012/590/2000-IR(C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

PRESENT:

Shri B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 84 OF 2001

PARTIES: Employers in relation to the management of M/s. CCL and their workman.

APPEARANCES:

On behalf of the workman : Mr. K. Chakravorty,
Advocate.

On behalf of the employers : Mr. D. K. Verma,
Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 9th September, 2005

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/590/2000 (C-I), dated, the 16th March, 2001.

SCHEDULE

"Whether the action of the management of Sirka Colliery of M/s. CC.L. in not providing employment to the dependent of late Bholu is justified? If not, to what relief is the said dependant of the workman concerned entitled?"

2. In this reference both the parties appeared and filed their respective Written Statement. It transpires from the record that Mr. K. Chakravorty, Ld. Advocate after making appearance informed the Tribunal that the concerned workman involved in this case died some months back. In spite of giving that information legal heirs of the deceased workman did not consider necessary to take any step for substitution with a view to proceed with the hearing of this case. Therefore, it is clear that there is none to take up hearing of this case on behalf of the deceased worker. In the circumstances, there is no scope to proceed with the hearing of this case for which a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer.

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3772.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंध में उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद -I के पंचाट (संदर्भ संख्या 52/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/679/97-आईआर (सी-I)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3772.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 52/98) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-I now as shown in the Annexure

in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-09-2005.

[No. L-20012/679/97-IR(C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVT INDUSTRIAL TRIBUNAL (NO. 1) DHANBAD.**

In the matter of a reference U/S. 10(1)(d) (2A) of I.D. Act., Reference No. 52 of 1998.

PARTIES: Employers in relation to the management of Kusunda Area of BCCL.

AND**Their Workmen.**

Present: Shri Sarju Prasad,
Presiding Officer.

APPEARANCES:

For the Employers : None.

For the Workmen : None.

State : Jharkhand Industry : Coal.

Dated, the 24th August, 2005

AWARD

By Order No. L-20012/679/97-IR(C-I) dated 13-8-1998 the Central Government in the Ministry of Labour, has in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of Kusunda Area of BCCL in not regularising/promoting Sri N.C. Pramanik prior to or alongwith S. Shri Ramesh Pd. and 3 Others who were junior to him is legal & justified? If not, to what relief are they entitled?"

2. This reference case is of the year 1998. But even to day (24-8-2005) no written statement has been filed by the concerned workmen, despite registered notice sent. It, therefore, appears that neither the sponsoring union nor the concerned workmen are interested to contest the case.

3. Under such circumstances, I render a 'No Dispute' Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3773.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंध में उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद -II के पंचाट (संदर्भ संख्या 15/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/114/2004-आईआर (सी-I)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3773.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 15/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-20012/114/2004-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

Present :

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 15 of 2005

PARTIES : Employers in relation to the management of Bastacolla Area of M/s. B.C.C.L. and their workman.

APPEARANCES :

On behalf of workman : None.

On behalf of the employers ♦ Mr. U.N. Lal, Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 9th Sept., 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/114/2004-IR (C-I), dated the 17th December, 2004.

SCHEDULE

"Whether the demand of the JMS from the management of Bastacolla Area of M/s. BCCL for regularising Sri Ramjit Bhuia as Shovel Operator (T) is fair and justified? If so, to what relief is the concerned workmen entitled and from what date ?"

2. In this case neither the concerned workman nor his representative appeared before this Tribunal. No Written Statement also filed on his behalf. Management, however, made appearance through their authorised representative. It transpires from the record that Regd. notices and show cause notice were issued to the workman/sponsoring union consecutively. In terms of Rule 10 (B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file Written

Statement, complete with relevant documents, list of relinace and witnesses before the Tribunal within 15 days from the date of receipt of the order of reference from the Ministry. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the concerned workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of this case. Under the circumstances, this Tribunal also finds no ground to adjourn the case suo moto for days together. Hence, the case is closed and a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

क्र.अ. 3774.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/त्रम न्यायालय, धनबाद-I के पंचाट (संदर्भ संख्या 56/1998) को प्रकृति करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/636/97-आईआर(सी-1)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3774.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56/1998) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad-I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-9-2005.

[No. L-20012/636/97-IR(C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1) AT DHANBAD

In the matter of a reference U/S. 10(1)(d) (2A) of I.D. Act,

Reference No. 56 of 1998.

PARTIES : Employers in relation to the management of Jealgora Colliery of M/s. BCCL.

AND

Their Workmen.

Present : SHRI SARJU PRASAD, Presiding Officer

APPEARANCES:

For the Employers : None.
 For the Workmen : None.
 State : Jharkhand Industry : Coal.

Dated, the 24th August, 2005

AWARD

By Order No. L-20012/636/97-IR (C-I) dated 14-8-1998 the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Jealgora Colliery of M/s. BCCL. in not protecting the wages of S/Sri Ram Prasad Bouri, Sreepati Bouri, Dineshwar Saw and Amrit Rajwar at the time of fixation of their pay from P/R job to T/R category is legal and justified? If not, to what relief the workmen are entitled?”

2. This reference is of the year 1998. Dispute notice no written statement on behalf of the concerned workmen, has been filed even to-day. It, therefore, seems that neither the sponsoring union nor the concerned workmen are interested to contest the case.

3. Under such circumstances, I render a ‘No Dispute’ Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3775.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (Comp. No. 6/2003 arising out of Ref. No. 126/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/13/98-आईआर(सी-1)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3775.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Comp. No. 6/2003 arising out of Ref. No. 126/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-09-2005.

[No. L-20012/13/98-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
 INDUSTRIAL TRIBUNAL (NO. 2)
 AT DHANBAD.**

PRESENT:

SHRI B. BISWAS, Presiding Officer

In the matter of a Complaint under Section 33A of the I.D. Act, 1947

(Arising out of Ref. No. 126/2001-Ministry's Order No. L-20012/98 (C-I), dated, the 27-4-2001).

Complaint No. 6 of 2003

PARTIES: Janta Shramik Sangh Dhanbad through its Joint General Secretary.

.....Complainant

Versus

Employers in relation to the management of Bastacola Area of M/s. B.C.C.L. through its General Manager.

....Opp. Party

APPEARANCES:

On behalf of the Complainant : Mr. B.N. Singh,
 Authorised
 Representative

On behalf of the O.P. : Mr. H.Nath, Advocate
 State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 5th Sept., 2005

AWARD

This is a Complaint under Section 33A of the I.D. Act, 1947 filed by the Complainant against the C.P. management named above.

2. The case of the complainant in brief is as follows:—

The sponsoring union/complainant submitted on behalf of the concerned workman that during pendency of hearing of Ref. Case No. 126/2001 before this Tribunal management without taking leave of this Tribunal by letter No. 1446 issued on second December, 2003 has redeputed the concerned workman to work to his original post of Genl. Mazdoor. They submitted that the O.P. management is guilty of contravening of Section 33 of the I.D. Act, 1947 and for which submitted prayer to pass necessary Award in favour of the concerned workman.

3. Management on the contrary after filing written objection categorically denied the claim and allegation of the complainant which has been ventilated in the Complaint petition. They submitted that the concerned workman was as General Mazdoor and as Genl. Mazdoor he draws his wages and allowance and other benefits, applicable to him immediately before the commencement of proceeding in

Ref. Case No. 126/2001 and during pendency of the reference case he is also getting the same benefit under the same designation. They submitted further that by Office letter No. 1446 dt. 2-12-2003 issued in the name of the concerned workman neither curtailed the benefits and wages etc. nor indicated alteration of service condition to his prejudice. They disclosed that re-deployment/ placement of workman on particular job does not change in the condition of service on the contrary status of the concerned workman inspite of issuance of that letter remained the same. Accordingly they submitted prayer that the claim of the complainant finds no merit and accordingly the same may be rejected.

4. Finding with Reasons

After hearing both sides I find no dispute to hold that the sponsoring union raised an Industrial Dispute for conciliation as the management refused to regularise the concerned workman who is Genl. Mazdoor in the post Loading Clerk. In course of hearing the said conciliation proceeding as ended in failure, the instant reference case was initiated by the order of the Ministry. The schedule of reference is as follows :—

“Whether the demand of Janta Shramik Sangh from the management of Bastacola Area of M/s. BCCL for regularisation of Shri Sheo Kumar Yadab, General Mazdoor in the post of Loading Clerk is proper, correct and justified? If so, to what relief is the concerned workman entitled and from which date?”

Considering the schedule of reference there is no dispute to hold that the concerned workman was a General Mazdoor by designation and he has sought for his regularisation as Loading Clerk in view of the facts disclosed in the Written Statement submitted in connection with that Reference case. The matter in issue in that Reference case is under subjudice. It is the allegation of the complainant that by issuing letter No. 1446 dt. 2-12-2003 management changed his designation without leave of this Tribunal. Section 33 of the I.D. Act, 1947 speaks as follows :

“No employer shall in regard to any matter connected with the dispute, alter to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding.”

Therefore, it has to be looked into whether by issuing that letter the conditions of service in respect of the concerned workman was changed or not? There is no dispute to hold that concerned workman by designation is Genl. Mazdoor. Therefore, management is liable to maintain and abide by all service conditions of the concerned workman as Genl. Mazdoor. It is the claim of the sponsoring union/complainant that he has to be regularised as Loading Clerk. Therefore, it is clear that he is not a Loading Clerk being appointed by the management but has claimed for regularisation as according to him he is discharging his

duties as Loading Clerk. Until and unless the concerned workman is regularised as Loading Clerk there is no scope to say that management should abide by the service condition of Loading Clerk if any adverse order is passed. Ref. Case No. 126/2001 is subjudice. Until and unless the said Reference case is decided finally there is no scope to arrive into any such decision if the concerned workman is a Loading Clerk or not. Therefore pending decision in Ref. No. 126/2001 there is no scope at all to say that by issuing letter No. 1446 dt. 2-12-2003 management/O.P. changed the service condition of the concerned workman in utter violation of Section 33 of the I.D. Act, 1947.

AWARD

In the result, the complaint petition is dismissed on contest.

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

क्र.आ. 3776.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद -II के पंचाट (संदर्भ संख्या 256/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/470/98-आईआर(सी-1)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3776.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 256/99) of the Central Government Industrial Tribunal/Labour Court, Dhanbad II as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-09-2005.

[No. L-20012/470/98-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

PRESENT:

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act, 1947

Reference No. 256 of 1999

PARTIES: Employers in relation to the management of
Damoda Colliery of M/s. B. C. C. L. and their
workman.

APPEARANCES:

On behalf of the workman : Mr. K. Chakraborty, Ld.
Advocate

On behalf of the employers : Mr. B.M. Prasad, Ld.
Advocate

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 2nd Sept., 2005

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/470/98-IR (C-I) dated, the 4th June, 1999.

SCHEDULE

"Whether the action of the management not to send the concerned workman, Smt. Bara Sonwa Kamin to the Apex Medical Board for the re-assessment of her age is just and proper? If not, to what relief the concerned workman is entitled?"

2. The case of the concerned female worker according to written statement submitted by the sponsoring union on her behalf in brief is as follows :

The sponsoring union submitted that the concerned female worker was permanent wagon loader at Damoda Colliery under the management. They submitted that the management illegally and arbitrarily showing her date of birth as 12-3-41 in the service excerpt served the same to her. On seeing the said date of birth recorded in the service excerpt she raised her protest vehemently and also submitted petition for recording her such date of birth arbitrarily and accordingly placed her demand for assessment of her age through Medical Board which management refused to do disclosing that her said age was actually determined by the Medical Board when she raised voice against date of birth recorded in the Form-B Register. They alleged that determination of the date of birth was not made by the said Medical Board following the strict principle of Medical Jurisprudence and for which she raised Industrial Dispute before ALC (C), Dhanbad through her union for conciliation which ultimately resulted reference to this Tribunal for adjudication.

The sponsoring union accordingly submitted prayer to pass award directing the management to assess the age of the concerned female worker through Apex Medical Board.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned female worker.

They submitted that not only in the Form-B Register which is considered as Statutory Register under the Mines

Act but also in the CMPF record date of birth of the concerned female worker was recorded as 12-3-41.

They submitted further that as the said lady worker raised her voice against date of birth recorded in the Form-B Register the area management referred her case to Special Medical Board for finding out if there was any reasonable ground to get her age reassured by Apex Medical Board. They disclosed that Special Medical Board examined the concerned lady worker on 20-7-88 and on the basis of medical examination they passed their findings to the effect that date of birth recorded in the Form-B Register was correct and for which there was no requirement to send her to the Apex Medical Board for re-assessment of her age.

Accordingly, they submitted prayer to pass award rejecting the claim of the concerned female worker.

Points to be Decided

"Whether the action of the management not to send the concerned workman, Smt. Bara Sonwa Kamin to the Apex Medical Board for the re-assessment of her age is just and proper? If not, to what relief the concerned workman is entitled?"

Finding with Reasons

It transpires from the record that the concerned female worker though raised Industrial Dispute through sponsoring union did not consider necessary to come forward at the time of final hearing of this case to substantiate the claim in question through sufficient opportunity were given to her. As a result of which the instant case was fixed up for *ex parte* hearing.

Management in support of their claim examined one witness as M.W.1. Considering the materials on record there is no dispute to hold that the concerned female worker was a wagon loader at Damoda Colliery. During evidence of M.W. 1 Form-B Register in respect of the concerned workman was marked as Exht. M-3. According to this register it transpires that the said female worker joined the service of the management as wagon loader on 23-8-72 and the date of birth was recorded as 12-3-41. It is the contention of W.W.1 that in the year 1987 management issued service excerpt to her wherein also her date of birth was recorded as 12-3-41. The service excerpt issued to the said female worker during evidence of M.W.1 was marked as Exht. M.1. From the service excerpt it transpires clearly that she returned back the same to the management without raising any dispute over date of birth recorded therein.

It transpires from the submission of the management that as subsequently the said female worker raised dispute over her age recorded in the statutory register she was sent to special Medical Board for assessment of her age. The special Medical Board after examining her confirmed her date of birth as recorded in the Form-B Register. As per medical report marked as Exht. M-2 her name is appearing

in Sl. No. 294 and according to report her date of birth as 12-3-41 was rightly recorded in the Form-B Register as well as in the CMPF record.

They disclosed that after assessment of her age by the Medical Board in the year 1988 she did not raise any dispute at that time.

It is seen that subsequently she raised Industrial Dispute through her union challenging her date of birth recorded in the Form-B Register. It is their Further contention that her age also was not determined by the Medical Board properly. It transpires from her written statement that she remained although silent about her age. In spite of getting ample opportunity she did not consider necessary to produce any cogent paper to show that her date of birth was not rightly recorded in the Form-B Register. Appearance of a person can not be considered as a guiding factor to evade the date of birth recorded in the Form-B Register. It is settled principle that as Form-B Register is considered as Statutory Register the same is binding on both sides if no ugly discrepancy is exposed. In spite of management for the satisfaction of the worker sent her to Special Medical Board for reassessment of her age. The said Board after medical examination opined that date of birth of the said female worker was correctly recorded in the Form-B Register as well as CMPF record.

It is seen that in relation to this case Industrial Dispute was raised in the year 1998. The concerned female worker was examined by the Medical Board in the year 1988 and at that time she was very much aware about report relating to re-assessment of her age by the said Medical Board. At that time she did not raise any protest. After a lapse of about 10 years she initiated her dispute without replying on any supporting paper to show that report of the Medical Board about assessment of her age was wrong.

Considering all aspects carefully there is sufficient reason to hold that sponsoring union raised a vexatious Industrial Dispute as they had no supporting paper to substantiate. In course of hearing full opportunity was given to the sponsoring union to substantiate their claim but they have absolutely failed to do so.

Considering all aspects carefully in view of my discussion above I hold that sponsoring union has lamentably failed to establish their claim and for which the concerned female worker is not entitled to get any relief.

In the result the following award is rendered :

"That the action of the management not to send the concerned workman, Shri. Bara Sonwa Kamin to the Apex Medical Board for the reassessment of her age is just and proper. Consequently, she is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3777.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद -I के पंचाट (संदर्भ संख्या 54/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-9-2005 को प्राप्त हुआ था।

[सं. एल-20012/669/97-आईआर(सी-1)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3777.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 54/1998) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad-I as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 20-09-2005.

[No. L-20012/669/97-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1) AT DHANBAD.

IN THE MATTER OF A REFERENCE U/S 10(1)(D)(2A)
of I.D. Act

Reference No. 54 of 1998

Parties : Employer in relation to the management of
Mohuda Area II, M/S. B.C.C. Limited.

AND

Their workmen

PRESENT : Shri Sarju Prasad,

Presiding Officer.

APPEARANCES :

For the Employer : None.

For the Workmen : Shri D. Mukherjee,
Secretary, BCKU

State : Jharkhand Industry : Coal.

Dated, the 24th August, 2005

AWARD

By Order No. L-20012/669/97-IR(C-1) dated 13-8-1998
the Central Government in the Ministry of Labour has, in

exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this tribunal :

"Whether the action of the Management of Mohuda Area II, M/s. BCCL in dismissing Shri Munshi Bhuiya is legal and justified? If not, to what relief the workman is entitled?"

2. Shri Mukherjee appearing on behalf of the concerned workman submits that the concerned workman is not interested to contest the case and has prayed to pass a 'No Dispute' award in this reference case.

3. In view of such submission being made on behalf of the workman, I render a 'No Dispute' Award in the present case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का.आ. 3778.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सर्वे ऑफ इंडिया, जी.बी.ओ. कैंटीन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/नं.-II, नई दिल्ली के पंचाट (संदर्भ संख्या 205/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-9-2005 को प्राप्त हुआ था।

[सं. एल-42012/140/99-आईआर(डीयू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3778.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 205/99) of the Central Government Industrial Tribunal/Labour Court, No. II, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Survey of India, G.B.O. Canteen and their workman, which was received by the Central Government on 21-09-2005.

[No. L-42012/140/99-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II
NEW DELHI**

Presiding Officer : R. N. RAI

I.D. No. 205/1999

IN THE MATTER OF :

Shri Jayendra Prasad Uniyal,
R/o. Shiv Mandir, MDDA Colony,
Chander Road, Dalanwala,
Dehradun-248001

Versus

The Chairman,
G.B.O. Canteen,
Survey of India,
Office of No. 69 (Comp) Party (G & RB),
17, E.C. Road,
Dehradun-248001

AWARD

The Ministry of Labour by its letter No. L-42012/140/99/IR (DU) Central Government dt. 21-10-1999 has referred the following point for adjudication.

The point runs as hereunder :

"Whether the action of the Management of Survey of India G.B.O. Canteen, Dehradun in terminating the services of Shri Jayendra Prasad Uniyal, Ex. Canteen bearer w.e.f 01-07-1998 is legal and justified? If not, to what relief he is entitled and from which date."

The workman applicant has filed claim petition. In the claim petition it has been stated that the claim petition pursuant to the order of the Ministry of Labour, Government of India, referring the above dispute for adjudication, to the CGIT cum Labour Court, New Delhi vide reference No. L-42012/140/99 IR (DU) dated 21-10-1999 with regard to the termination of the applicant from the service of the GBO Canteen, Survey of India, Dehradun. The applicant respectfully submits the following facts :

That the applicant was appointed on 21-03-1995 in the post of a bearer purely on a temporary basis in the GBO Canteen Survey of India, Dehradun. That Survey of India is Central Government Organization having its offices in different provinces in India with one of its office at Dehradun. The said office at Dehradun is having a staff strength of nearly five hundred people. That keeping in view about the welfare of its staff members, the Survey of India is also operating a GBO Canteen in order to provide daily meal and refreshments to its employees.

That the said canteen of the Survey of India, considering the perennial and permanent nature of work according to various requirement of Shops and Establishments Act as also other labour welfare legislation was having nine permanent employees including an Assistant Manager. That since the canteen workers were not adequate to cater the need of the staff of the said organization, the management of the GBO canteen felt the necessity of recruiting more number of employees in order to run the canteen smoothly and effectively. And therefore in view of the above circumstances the applicant was appointed on 21-03-1995 in the post of a bearer purely on temporary basis.

The applicant humbly submits that since the date of his joining the applicant was paid Rs. 25 per day upto 31-12-1996 and thereafter the pay was increased to Rs. 35

per day was paid till the date of his termination i.e. 30-6-1998. The applicant never objected with this meager pay and worked with all sincerity. That due to the scarcity of man power in the canteen the applicant had to work as a bearer and at times he had to work as coupon clerk cum--sales man on the direction of the management of the canteen. Even though there were vacancies the management never bothered to appoint new recruit for the canteen.

During the course of his employment, the applicant worked with due diligence. Never he had refused nor hesitated to do any work assigned to him from time to time. The applicant had to work with the meager pay of Rs. 25 and Rs. 35 respectively per day, no other wage on account of leave salary, bonus etc. was paid to him. The applicant was also given assurance that he would be made permanent in future date, therefore he silently borne the difficulties and adjusted with unfair treatment meted out by his employer.

The applicant most respectfully submits that even though he worked from 21-03-1995 to 30-06-1998 without any interference or discontinuity in between he was deprived of his right to become a permanent employee in the said GBO canteen run and operated by the survey of India. In this connection it is pertinent to mention that the applicant was also given all assurances that he would be made permanent in future dated and his services would not be terminated. But to his utter surprise the applicant on 30-06-1998 was not allowed to join his service and was directed by the management that his services were no longer required and was therefore asked to discontinue his service on the same day i.e. from 30-06-1998, the applicant was also told by the respondent management that in case of necessity the applicant would be called for. However till date the applicant has not been called for.

That the applicant being aggrieved and dissatisfied by the order of the Manager, GBO Canteen was left with no other alternative but to file an application before the ALC (C), Dehradun and prayed therein for settling the dispute of the applicant. A true copy of the application addressed to the ALC in Hindi vernacular is filed herewith marked as Annexure-1 to this petition.

That the ALC, Dehradun having perused the record and the application of the applicant, was pleased to issue notice to the respondent, Chairman GBO Canteen Survey of India, Dehradun vide notice No. 8 (6)/99-ALC dated 31-03-1999. By the said notice the respondent was directed to appear before the said ALC on 29-04-1999 at 11.00 AM and to file reply if any on or before 20-04-1999. A true copy of the notice issued by the ALC is filed herewith marked as Annexure-2 to this petition.

The respondent having received the notice filed their reply before the said ALC. In the said reply the respondent denied all the facts stated by the applicant and contended that the canteen was operated on no profit and no loss

basis and whenever there was need for manpower, workmen were recruited for temporary period on contractual basis and the payment of such workers were met out of the canteen fund from the budgeted allocation by the Government of India. It was also falsely contended by the management of GBO Canteen that the applicant left the service of his own.

The applicant most respectfully submits that his service on the other hand was terminated by an oral order by the management of the canteen run by the respondent Survey of India. In this connection it is pertinent to mention that the respondent deliberately remained silent on ownership aspect of the canteen i.e. whether the canteen is being owned run and managed by Survey of India, or any other private agencies which is an important issue to be examined and determined by this Hon'ble Tribunal.

It is also important to examine as to whether the so called contractual job provided to the applicant is perennial in nature or whether the applicant has worked purely on contractual basis for a period from 21-03-1995 to 30-06-1998. If so in that event it will be established that the applicant not only worked for 240 days continuously for a period of one year but also worked for more than two years. Hence whether the termination of the applicant under the prevailing circumstances should not be declared as spiteful and unfair, keeping in view the perennial nature of work undertaken by the Survey of India in running the canteen for its worker. The Hon'ble Tribunal may also decide whether the action of the employer is permissible in law keeping in view provisions of Abolition of Contract Labour Regulation Act.

The applicant therefore most respectfully submits that his termination from the service by the management of GBO canteen, Survey of India is absolutely illegal, arbitrary and unjust and is against the principles of natural justice basing his claims upon the decision delivered by the Hon'ble Supreme Court in Haryana State Electricity Board Vs. Suresh and others 1999 (2) JT at 435 it may be submitted that in such cases as in the instant one where the work concerned is basically of perennial in nature the inter mediaries like the contractor need necessarily be laid aside and the basic relationship of the employer-employee between the employer and workmen be brought into the fore with the workmen's entitlement of exercise of their rights to be absorbed and regularized with the employer concerned.

The management has filed written statement. In the written statement it has been stated that the contents of Para 1 of claim filed by workman are wrong and denied. It is specifically submitted that Shri J.P. Uniyal was never appointed for performing the duties of bearer in departmental Canteen in GBO Compound, Survey of India, Dehradun. He (workman) was never given any appointment nor assurance for permanent appointment. In fact he has

done work in departmental canteen on contract basis for different durations as and when required.

That contents of Para 2 of claim are admitted to the extent the Survey of India is a Central Government Organization having its offices at different places in India with one office at Dehradun. The GBO Compound at 17 E.C. Road, Dehradun is having three directorates of total strength of nearly 1200 employees. That in reply to Para 3 of claim it is submitted that for the welfare of the staff, Survey of India is running non-statutory departmental canteen on the basis of "No profit no loss". That in reply to Para 4 of claim it is admitted that the departmental canteen is having nine permanent employees including a Assistant Manager-cum-Store Keeper.

That the contents of Para 5 of claim are not correct. It is worth mentioning here that on receipt of the judgment from the Hon'ble Supreme Court of India in WP No. 6189-7044 and 8246-55-C.K. Jha and others and P.N. Sharma and others it was decided that the employees of the non-statutory department/co-operative canteen/tiffin rooms located in the Central Government offices should be treated as Government servants w.e.f. 01-10-1991. Similarly Ministry of Personnel and Training vide its O.M. No. 3/1/92-Dir© dated 20/01-1992 decided in suppression of all the previous orders to freeze the present staff strength of the employees of non-statutory registered departmental canteen and tiffin rooms located in Central Government offices as on 01-10-1991. This would mean complete ban on creation and filling up of posts as well as ban on filling up of vacancies due to retirement, death, resignation, dismissal, removal etc. till further orders. On receipt of above orders the question of any new appointment does not arise, even against wastage. However, there is/was no wastage since 01-10-1991 in the present strength of 9.

That in reply to Para 6 of claim it is submitted that Shri J.P. Uniyal (workman herein) worked in GBO Departmental Canteen as and when required on contract basis and payment was made to him on O.53 (Acc). O.53 (Acc) is a departmental form which is used to make the payment for the work done on contract basis. In O.53 (Acc) it was clearly mentioned that payment is for the work to which Shri Uniyal was employed on contract basis. At the time of payment signature of Shri J.P. Uniyal were also obtained on O.53 (Acc).

That in reply to para 7 of claim it is submitted that there is a complete ban on creation and filling up posts in departmental canteen ever against wastage. So the question of new recruitment does not arise. That except what is matter of record the contents of Para 8 of claim are wrong and strongly denied. It is specifically denied that workman was given any assurance that he would be made permanent in future date. Shri J.P. Uniyal was never appointed in the departmental canteen. In fact he was called to work in departmental canteen on contract basis as and when required and payment was made to him accordingly after

completion of the job.

That except what is matter of record the contents of Para 9 of claim are wrong and denied. Shri J.P. Uniyal worked in our departmental canteen purely on contract basis and there is no rule under which contract employee can be given permanent employment.

To sum up the above para it is worth mentioning here that in accordance with Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training No. 3(4)/93-Dir© dated 26-02-1996 it is clearly mentioned that there is a complete ban on creation and filling up of post but department can think for the other alternative to run the departmental canteen smoothly. It means that the management of the departmental canteen if needed can employ the workers on contract basis only for particular job subject to the condition that canteen funds permit to employ such workers on contract basis. In Para 2 of the Government of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training No. 12/5/91-Dir© dated 09-04-1992 that in future no financial support may be provided to the canteens from the Government side. It means no capital grants/replacement grants, grants for repairing the main equipment, loan or advance may be sanctioned for the purpose of the departmental canteens by Ministries/ Departments. Since GBO departmental canteen is already running on the basis of "No Profit No Loss" and thus as and when the departmental canteen requires the workers and canteen funds permit to do so, the management of the canteen engages the workers on contract basis.

In the past too, canteen employees were recruited through local employment exchange, as and when vacancies occurred. In the present case neither there is a vacancy at present nor there is any likelihood of occupying any vacancy in near future, hence under the circumstances explained above, it is regretted that Shri J.P. Uniyal cannot be accommodated in departmental canteen of management as a regular employee.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the parties and perused the papers on the record.

It was submitted from the side of the workman that he was initially engaged on 21-03-1995 and worked up to 28-02-1996. Annexure-III is a certificate issued by the Chairman, GBO Canteen. The document has not been denied by the management. This certificate shows that the applicant has worked w.e.f. 21-03-1995 up to 28-03-1996 continuously @ Rs. 25 per day. He was a daily rated worker but he has worked for more than 240 days. The management

has issued another certificate marked as CW-II dated 19th December, 1997. This document has not been denied by the management. According to the certificate the workman worked purely on temporary basis @ Rs. 35 per day from 1st January, 1997 to 31st October, 1997. Thus it is established that the workman has continuously worked from 21-03-1995 to 31-10-1997. He has worked continuously for more than two years. The management has not denied the continuous work of the applicant in the written statement so it shall be deemed to be an admitted fact that the applicant has worked from 21-03-1995 up to 31-10-1997 continuously albeit as a daily rated worker. The Hon'ble Supreme Court has held that even daily rated workers who have performed more than 240 days work are entitled to be regularized. This is an admitted fact that the applicant has worked for more than two years as daily rated workman continuously. Payments to him have been made on monthly basis. Payment vouchers have been filed by the management. These papers shows that for the month of April the applicant has received Rs. 700 for the month of June he has received Rs. 630 for the month February, 1998 he has received Rs. 855 for the month of April, 1998 he has received Rs. 1200 for the month of May, 1998 he has received Rs. 1160 for the month of June, 1998 he has received Rs. 1200. All these payments are admitted by the management so the workman has been paid monthly wages for the days he worked. He has not been paid for the holidays and Sundays. Except of the Sundays and holidays he has worked continuously.

It was submitted from the side of the management that the workman was daily wager and his work/employment came to end at the end of every day. The workman applicant has not been made daily payment. He has been made payment monthly so he was engaged as a daily rated worker for an indefinite period.

My attention was drawn to (2005) SCC 51—the Hon'ble Supreme Court has held that the workman of the statutory canteen managed by contractor should not be deemed to be the employee of the management. They are workmen ipso facto of the said establishment for the purpose of factories acts only. The respondent/management has not exercised effective control over contract of the canteen on certain matters in regard to the running of the canteen including selection of the workmen of the canteen. The contractor settled the terms and conditions of its workman. The canteen contractor bore all obligations and concomitance of the employer under the said contract. Settlement had been arrived at between the contractor and the management. The judgment of the Hon'ble Supreme Court is not applicable in the facts and circumstances of the present case. In the instant case there is no independent contractor for running the canteen. The Canteen is run by nine permanent staff of the management as has been admitted by the management in the written statement itself. So the contract element is not present in the instant case

so (2005) SCC 51 is not applicable in the facts and circumstances of the present case.

It was submitted from the side of the workman that he was an independent employee in the Canteen. He was engaged through management and not through any contractor. It has been held in (1999) 6 SCC cases 439 that the workmen of such establishment are direct employees of the management as there is no principal employer and contract. The workman doubtless was engaged by the management. He has worked for more than 240 days and the management is not free to engage contract labour to run the canteen which is run by permanent employees of the management. The Hon'ble Court has directed the management to absorb the workman. It is immaterial whether the canteen is statutory canteen or constituted for welfare of the employees of the management. It is run by the management. There are independent regular employees of the management to run the canteen so the canteen under the facts and circumstances of the case becomes an undertaking of the management. The management cannot engage a single workman on contract basis as there is no contractor. Section 25 F of the ID Act is attracted in such circumstances. It is settled law that daily rated workmen or even muster roll workmen are entitled to regularization. The applicant was a workman and he has served the canteen for more than two years. He was not engaged through any Contractor. He was made payment by the management. Monthly payment was made to him.

It was further submitted that ASI is not an industry. There is a systematic activity in the ASI. The ASI has created the canteen for lunch and tiffin of its employees. It is not engaged in research work or sovereign work. The employees of ASI are the employees of an industry. They do not hold civil post. They work under the supervision and control of the management. Their services are integrated to the management so in view of the judgment of the Apex Court in Bangalore Water Supply ASI is an industry. No other point was raised either by the management or by the workman. In view of the above the workman is an employee of the management and he deserves to be absorbed within one month from the date of publication of the award.

The reference is replied thus :

The action of the management of Survey of India, GBO Canteen, Dehradun in terminating the services of Shri Jayendra Prasad Uniyal, Ex. Canteen bearer w.e.f. 01-07-1998 is neither legal nor just. The workman is entitled to be regularized within one month from the date of publication of the award. The management is directed to regularize the workman within one month from the date of publication of the award as Class-D employee.

The award is given accordingly.

Dated 12-9-2005

R. N. RAI, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का. आ. 3779.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सैनिक फार्म के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 99/95) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-9-2005 को प्राप्त हुआ था।

[सं. एल-14012/28/94-आई आर (डी यू.)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3779.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 99/95) of the Central Government Industrial Tribunal/ Labour Court No. I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sainik Farm and their workman, which was received by the Central Government on 19-9-2005.

[No. L-14012/28/94-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. I.D.-99/1995

Shri Jai Bhagwan,
Son of Tela Ram Saini,
Village Dhantori,
Post Office Sarifgarh,
District Kurukshetra,
Haryana

Applicant

Versus

The Administrative Officer,
Sainik Farm, Buz Dhantori,
Post Office Sarifgarh,
District Kurukshetra,
Haryana.

Respondent

APPEARANCES

For the workman : None

For the management : Shri K.K. Thakur

AWARD

Passed on 07-09-2005

Central Govt. vide notification No. L-14012/28/94/IR (DU) dated 30-11-1995 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of management of Sainik Farm Dhantori in terminating the services of Shri Jai Bhagwan, Labourer, and employing some one else in his place is just and legal? If not, to what relief the workman is entitled and from which date?"

2. Workman or his authorised representative did not appear up to 3.30 PM. earlier also workman was not appearing and on court notice workman appeared on 26-4-05 and he wanted to engage a counsel and next date was given for 14-6-05. He did not appear on 14-6-05, again on 11-8-05. Even today despite court notice againsts the did not appear. The management advocate Shri K.K. Thakur made a statement that workman appears to be not interested as the management institution i.e. Military farm has already been closed for all purposes and perhaps due to this the workman also not interested to pursue his case. Hence reference may be returned for want of prosecution.

3. In view of the above submission of the management advocate and workman not appearing on 14-6-05, 11-8-05 and even today despite court notice and earlier also did not appear on 23-11-04, 11.1.05 and 16-3-05 and appeared on court notice on 26-4-05 and in view of the submission of the learned counsel for the management that management institution already closed for all purposes and the workman is not appearing and has not engaged any advocate. In the circumstances, I find it expedient that as workman is not interested in prosecution his case, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned to record.

Chandigarh:

7-9-05

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का. आ. 3780.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डी.आर.डी.ओ. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 64/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-9-2005 को प्राप्त हुआ था।

[सं. एल-14012/10/2002-आई आर (डी यू.)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3780.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 64/2002) of the Central Government Industrial Tribunal/ Labour Court Bhubaneswar now as shown in the Annexure in the Industrial Dispute between the employers

in relation to the management of DRDO and their workman, which was received by the Central Government on 21-9-2005.

[No. L-14012/10/2002-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT, BHUBANESWAR

Present :

Shri N.K. R. Mohapatra,
Presiding Officer,
C.G.I.T.-cum-Labour Court,
Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 64/2002

Date of Passing Award- 29th August 2005

Between :

1. The Management of the DRDO,
The EMU Unit, Chandipur,
Balasore.
2. M/s. Basanti Enterprises,
Contractor of DRDO,
At/Po. Barbati,
At/Po. Alasua,
Dist. Balasore.

1st Party-Management

AND

Their Workmen Shri Santosh
Kumar Behera, At/Po. Alasua,
Dist. Balasore.

2nd Party-Workman.

Appearances :

None : For Management-1
Shri Narayan Chandra Barik : For Management-2
Shri Santosh Kumar Behera : For Himself, the
2nd Party-Workman.

AWARD

The Government of India in the Ministry of Labour in exercise of Powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-14012/10/2002/IR (DU), dated 28-5-2002.

“Whether the retrenchment of Shri Santosh Kumar Behera, Sweeper deployed in DRDO is legal and justified? If not, what relief the disputant is entitled to?”

2. Admittedly the Management No. 1 EMU Unit DRDO, a military wing at Chandipur, is the principal employer while M/s. Basanti Enterprises, (Management

No. 2) its contractor. The said Management No. 2 had taken contract of providing conservancy service to the Management No. 1 and admittedly for this he had engaged the workman on a daily rated basis to attend to the need of Management No. 1 from 1-1-1995 onwards. It is alleged by the workman that while he was in continuous service the Management No. 2 having engaged another person in his place has refused him employment tantamounting to retrenchment with effect from 9-7-2000 without any notice or retrenchment benefits. Hence the reference.

3. The 1st Party-Management No. 1 on the other hand has taken the stand that the workman being a contract labourer of Management No 2. He was no responsibility for the termination of the workman. The Management No. 2, Basanti Enterprises while denying the allegation of the workman has taken the stand that under a written agreement he had taken contract of providing conservancy service to Management No. 1 for a period of one year from 1-7-1999 on condition that the same would stand terminated with penalty in case of disruption of service. For due discharge of the contractual obligation he had engaged the workman from 1-7-1995 (but not from 1-1-1995 as claimed by the workman) to attend to the needs and requirements of Management No. 1 but he had abruptly remained absent from 8-5-2000 to 15-5-2000 and did not turn up despite receipt of a notice Ext.-B. As a result another man was engaged in his place immediately to present cessation of the contract. In other words it has been contended by the Management No. 2 that the workman had voluntarily abandoned the job and therefore he is not liable to pay any retrenchment compensation as required under section 25(F) of the I.D. Act. Besides it is further contended that since the workman has rendered service for less than 240 days under him he is not entitled to get any such retrenchment compensation or notice pay as prescribed under section 25 of the I.D. Act and as such his action can not be held illegal.

4. On the basis of above claim and counter claim of the parties the following issues were framed.

ISSUES

- (i) Whether the reference is maintainable?
- (ii) Whether the retrenchment of Shri Santosh Kumar Behera, Sweeper deployed in DRDO is legal and justified?
- (iii) If not, to what relief the disputant is entitled?

ISSUE NO. I

5. There being no substantial challenge as to the maintainability of the case, Issue No. 1 is answered affirmatively.

ISSUE NO. II & III

6. It be noted at the first instance that during trial the Management No. 1 i.e. the EMU Unit, DRDO, Chandipur remained absent for which he has been set exparte. So is the case of workman as he withheld himself from participating in the proceeding.

7. In support of his case the Management No. 2 has adduced exparte evidence by examining a sole witness. He has also produced the attendance register (Ext.-A) of casual workers engaged by him, a notice (Ext.-B) which he had sent to the workman asking him to join in duty forthwith and a money receipt under which the workman has received his arrear wages in a future date on 6-7-2000.

8. From the evidence adduced from the side of the Management No. 2 it appears that he had taken contract of the conservancy service for a period of one year commencing from 1st July, 1999. The attendance register (Ext.-1) indicates that the workman has been given attendance up till 6-5-2000 (which was a Sunday) and from the following Monday i.e. from 8th May, 2000 onwards he has been marked absent continuously and his name has been struck out from the register from the month of June 2000 suggesting that the workman had abandoned his job voluntarily as claimed by the Management. The notice issued to him vide Ext. B also fortifies the fact that because of his continuous absence from 8-5-2000 he was issued with that notice. The other document marked Ext.-C shows that about one and half months after issuance of the above notice (Ext.-B) the workman having appeared before the Management had received back his arrear wages, all suggesting that his service was never terminated by the Management. In these premises I find no merit in the reference and accordingly it is held that the action of the management in not deploying in the workman beyond 8-5-2000 is justified.

9. Accordingly the reference is answered against the workman.

Dictated & Corrected by me.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 21 सितम्बर, 2005

का. आ. 3781.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 118/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-9-2005 को प्राप्त हुआ था।

[सं. एल-40012/73/2004-आई आर (डी यू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 21st September, 2005

S.O. 3781.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 118/2004) of the Central Government Industrial Tribunal/Labour Court, Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 21-9-2005.

[No. L-40012/73/2004-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT, LUCKNOW****Present**

Shri Kant Shukla
Presiding Officer

I.D. No. : 118/2004

Ref. No. L-40012/73/2004-IR(DU) dated : 29-10-2004

BETWEEN

Sh. Ajit Kumar Srivastava
Sh. Durga Prasad Srivastava
Vill & Post Shuklajot,
Tehsil Dumariaganj,
Distt.-Sidharthnagar (UP).

AND

1. The Telecom District Manager,
Telecom Deptt. BSNL,
Bahraich.
2. The Chief General Manager,
Telecommunication East, Lucknow,
The Principal General Manager,
Pee Kay Bhawan, Lucknow-226001

AWARD

The Government of India, Ministry of Labour vide their order No. L-40012/73/2004-IR (DU) dated : 29-10-2004 has referred following dispute for adjudication to the Presiding Officer, Central Government Industrial Tribunal cum Labour Court, Lucknow for adjudication.

"Whether the action of the management of BSNL, Bahraich in terminating the services of Sh. Ajit Kumar Srivastava S/o Sh. Durga Prasad Srivastava, Daily wage w.e.f. 31-6-2001 is just and legal? If not, to what relief the workman is entitled?"

Shri A.K. Srivastava has filed his statement of claim stating therein that the worker joined his services

as daily wages casual labourer in August, 1998 in serious exigency of departmental work. Since then he is working on the said post and has worked for more than 240 days of service in the preceding years. The Telecom District Manager, terminated the services w.e.f. 31-6-2001 without any valid reason in absolutely illegal, arbitrary, malafide and discriminatory manner orally without affording any opportunity. It is also stated that he continuously worked for more than 240 days in the preceding years from the date of his initial appointment till the date of his termination from service. It is also alleged that worker has preferred industrial dispute under provision of Industrial Disputes Act before the Assistant Labour Commissioner (C), Lucknow against the impugned action of the management. Later on the case was referred to this CGIT-cum-Labour Court, Lucknow for adjudication. It is alleged by the worker that at the time of termination of his services of the worker neither enquiry was conducted nor any chargesheet was issued and no notice and retrenchment compensation was paid to the worker, thus, the employers have violated the provisions of Section 25 N of Industrial Disputes Act, 1947. It is further submitted that at the time of termination of services of the worker, persons junior to the worker have been retained and allowed to continue in service. Thus, the opposite party have violated provisions of Section 25 G of the Industrial Disputes Act, 1947. The opposite party have engaged new persons and no opportunity of employment has been given to the worker, thus the respondents have violated the provision of Section 25 H of the Industrial Disputes Act, 1947. In the circumstances the entire action of the opposite parties is absolutely illegal, improper, malafide, discriminatory and violative of provisions of Industrial Disputes Act, 1947. The worker has, therefore, prayed that opposite party may be directed to consider the case of the worker and take him back the worker in service and pay him his wages for entire period of service and further direct the opposite party to provide temporary status to the worker with consequences to consider him for regularization in the regular establishment with all consequential benefits. The worker has also prayed that opposite party may be directed to provide bonus to the worker, who has completed several years of according to the policy of the Central Government.

The opposite party has filed the written statement in which the claim of the worker has been disputed. The opposite party has alleged that the opposite party discharging sovereign function of the Central Government and rendering service to domestic as well as international sector. The department has its service rules and Recruitment Rules etc. and all appointments as per requirement are made strictly in accordance with Rules. It has been alleged by the management that Sh. A.K. Srivastava was never appointed in any capacity in the opposite party's department at any point of time, therefore, there arises no

question of alleged termination of his services w.e.f. 31-7-2001. It is specifically denied that Sh. A.K. Srivastava was ever appointed in any capacity in the year August, 1998 or subsequently, thus, there arises no question of having completed 240 days service or his alleged termination. So far as engagement on daily wages is concerned, it is respectfully submitted that there was a complete ban on engagement of fresh Casual Labourers/Daily Wagers in the department w.e.f. 12-6-1988. The worker was never engaged as daily wager. The opposite party has also alleged that before Assistant Labour Commissioner the management have maintained their stand that the worker was never engaged in any capacity by the management at any point of time. Sh. A.K. Srivastava was never engaged and had never worked with the opposite party and as such his case is not similar to those casual labourers who were duly appointed on daily wages and on account of their continuous engagement they became entitled for grant of temporary status scheme. After creation of Bharat Sanchar Nigam Limited w.e.f. October, 2000 the opposite party department has acquired the status of an autonomous body and has its separate legal entity. It has therefore, been submitted by the opposite party that the worker is not entitled to any interim relief as has been prayed for.

The worker has not filed any rejoinder thereafter.

The worker has not come forward to produce any evidence. It was for the worker who alleges himself that he was employed by the opposite party as daily wager casual labour to prove the same by evidence. The worker has not stated the date of August, 98 on which he was employed by the opposite party. There is also no mention of the payment of daily wage amount paid to him. It is pertinent to mention here that the reference is to the effect whether the termination of the A.K. Srivastava w.e.f. 31-6-2001 is just and legal. The worker has stated that he was terminated w.e.f. 31-7-2001 as is apparent from the allegation of the claim statement, para 1.

In the circumstances I come to the conclusion that worker has failed to establish that worker was appointed as daily rated casual worker and, therefore, there arise no question of this termination w.e.f. 31-6-2001. Dispute referred, therefore, is answered against the worker and I come to the conclusion that worker is not entitled to any relief.

Lucknow

9-9-2005.

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 22 सितम्बर, 2005

का. आ. 3782,—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल इंस्टिट्यूट ऑफ मेडिसिनल एण्ड ऐग्रेगेमेटिक प्लांट्स के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट (संदर्भ संख्या

144-154/98, 119-120/98, 122-124/98, 126/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-9-2005 को प्राप्त हुआ था।

[सं. एल-42012/28 से 31/98-आई आर (डी यू)];

[एल-42012/59 से 65/98-आई आर (डी यू)];

[एल-42012/156 से 162/97-आई आर (डी यू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 22nd September, 2005

S.O. 3782.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 144 to 154/98, 119-120/98, 122-124/98, 126/98) of the Central Government Industrial Tribunal/Labour Court Kanpur Now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Instt. of medicinal & Aromatic Plants and their workman, which was received by the Central Government on 22-9-2005.

[No. L-42012/28 to 31/98-IR (DU)];

[L-42012/59 to 65/98-IR (DU)];

[L-42012/156 to 162/97-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SHRI SURESH CHANDRA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR, SARVODAYA NAGAR KANPUR, U.P.

Industrial Dispute Nos. 149 of 98, 151/98, 145/98, 148/98, 154/98, 152/98, 153/98, 150/98, 146/98, 144/98, 147/98, 126/98, 122/98, 99/98, 119/98, 120/98, 123/98, AND 124/98.

In the matter of dispute between :

1. Sri Rishidev Mishra
C/o Sukhdev Tiwari
11/632 Indira Nagar
Lucknow.
(I.D. No. 149/98)
2. Ram Kishore Pathak
Pujari Ram Kishore Dubey
Naya Hanuman Mandir Aliganj
PO Mahanagar Lucknow
(I.D. No. 124/98)
3. Vinod Kumar Singh
C/o Sri Suresh Kumar Mishra
ES-2/165 Sector 'F' Jankipuram
Lucknow (I.D. No. 123/98)
4. Harish Chandra Dwivedi
House no. 521/124 Bara Chandganj
Lucknow (I.D. No. 120/98)

5. Ratan Singh
Sh Baijnath Singh
Village Chunnikha Urd
Post Bhujrug Distt.
Hamirpur (I.D. No. 119/98)
6. Suresh Kumar Mishra
ES-2/165 Sector F Jankipuram
Lucknow (I.D. No. 99/98)
7. Sagir Ahmad Ansari
529-Kha/206 PO Pantnagar Khuram Nagar
Garden, Vikas Nagar Lucknow. (I.D. no. 122/98)
8. Sher Yajdakhan
S/o Mohd. Sher Khan, Khuram Nagar
Garden Pant Nagar, P.O. Vikas Nagar
Lucknow (I.D. No. 126/98)
9. Jai Karan Tiwari
C/o Sri Krishna Lal Shukla
17/215 Indira Nagar Lucknow
(I.D. No. 147/98)
10. Indresh Pratap Singh
C/o Sri Krishna Lal Shukla
17/215 Indira Nagar Lucknow
(I.D. No. 144/98)
11. Sri Umakant Tiwari
C/o Sri Sukhdev Tiwari
11/632 Indira Nagar, Lucknow
(I.D. No. 146/98)
12. Ramesh Chandra Pandey
C/o Sh Sukhdev Tiwari
11/632 Indira Nagar Lucknow
(I.D. No. 150/98)
13. Gurcharan Yadav
C/o Sri Suresh Mishra
ES -2/165 Sector 'F'
Jankipuram Lucknow
(I.D. No. 153/98)
14. Munim Kumar Chaturvedi
Manas Complex Room No. G-43 K
Kursi Road Aliganj Lucknow
(I.D. No. 152/98)
15. Shitla prasad Yadav
C/o Krishna Lal Shukla
17/215 Indira Nagar Lucknow
(I.D. No. 154/98)
16. Lalit Mohan
C/o Krishna Lal Shukla
17/215 Indira Nagar Lucknow
(I.D. No. 148/98)
17. Krisjna Lal Shukla
17/215 Indra Nager Lucknow
(I.D. No. 145/98)

18. Harishanker Dubey
C/o Sri Krishana Lal Shukla
17/215 Indira Nagar Lucknow
(I.D.No.151/98)

And

Director

Central Institute of Medicinal & Aromatic plants P.O.
CIMAP Near Kukrail Picnic Spot Lucknow.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide their notification nos.-(see below) has referred the dispute for adjudication to this Tribunal :—

1. L-42012/62/98-IR (DU) dt. 11-8-98 (ID No.149/98)

Whether Sri Rishi Dev Mishra son of Sri Udai Bhan Mishra can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

2. L-42012/63/98-IR (DU) dt. 11-8-98 (ID No.151/98)

Whether Sri Hari Shanker Dubey son of Sri Badri can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

3. L-42012/30/98-IR (DU) dt. 11-8-98 (ID No.145/98)

Whether Sri Kishan Lal Shukla son of Sri Sundar Lal Shukla can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

4. L-42012/63/98-IR (DU) dt. 11-8-98 (ID No.148/98)

Whether Lalit Mohan son of Sri Balkishan can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

5. L-42012/64/98-IR (DU) dt. 11-8-98 (ID No.154/98)

Whether Shri Shital Prasad Yadav son of Sri Bhairan can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

6. L-42012/59/98-IR (DU) dt. 11-8-98 (ID No.152/98)

Whether Sri Munim Kumar Chaturvedi son of Sri Om Prakash can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal

and justified? If not to what relief he is entitled?

7. L-42012/60/98-IR (DU) dt. 11-8-98 (ID No.153/98)

Whether Sri Gurcharan Yadav son of Sri late Sukhdev Prasad can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

8. L-42012/61/98-IR (DU) dt. 11-8-98 (ID No.150/98)

Whether Sri Ramesh Chandra Pandey son of Late Sri Krishna can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

9. L-42012/28/98-IR (DU) dt. 11-8-98 (ID No.146/98)

Whether Sri Umakant Rai son of Sri Kailash can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

10. L-42012/29/98-IR (DU) dt. 11-8-98 (ID No.144/98)

Whether Sri Indresh Pratap Singh son of Sri Ram Pratap Singh can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

11. L-42012/65/98-IR (DU) dt. 11-8-98 (ID No.147/98)

Whether Sri Jai Karan Tiwari son of Sri Ram Harsh can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment is legal and justified? If not to what relief he is entitled?

12. L-42012/156/97-IR (DU) dt. 6-7-98 (ID No.126/98)

Whether Sri Sher Yajda Khan son of Sri Mohd. Sher Khan can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment w.e.f. 21-2-97 is just and legal and justified? If not to what relief he is entitled?

13. L-42012/157/97-IR (DU) dt. 6-7-98 (ID No.122/98)

Whether Sri Sagir Ahmad Ansari son of Sri Ali Mohd. can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow and if so whether the termination of his employment with effect from 21-2-97 is just and legal? If not to what relief the workman is entitled?

14. L-42012/160/97-IR (DU) dt. 13-5-98 (ID No. 99/98)

Whether Sri Suresh Kumar Mishra son of Sri Jwala

Prasad Mishra can be treated as an employee of Central Institute of Medicinal & Aromatic Plant Lucknow if so whether the termination of his employment w.e.f. 21-2-97 is just and legal? If not to what relief is he entitled?

15. L-42012/159/97-IR (DU) dt. 3-7-98 (I.D. No. 119/98)

Whether Sri Ratan Singh son of Sri Baijnath Singh can be treated as an employee of Central Institute of Medicinal & Aromatic Plant Lucknow, and if so whether the termination of his employment w.e.f. 21-2-97 is legal and justified? If not to what relief is he entitled?

16. L-42012/162/97-IR (DU) dt. 3-7-98 (I.D. No. 120/98)

Whether Sri Harish Chandra Dwivedi son of Sri Sriram Dwivedi can be treated as an employee of Central Institute of Medicinal and Aromatic Plant Lucknow, and if so whether the termination of his employment w.e.f. 21-2-97 is legal and justified? If not to what relief he is entitled?

17. L-42012/161/97-IR (DU) dt. 6-7-98 (I.D. No. 123/98)

Whether Sri Vinod Kumar Singh son of Sri Shiv Prasad Sachan can be treated as an employee of Central Institute of Medicinal & Aromatic Plant Lucknow? If so whether the termination of his employment w.e.f. 21-2-97 is just and legal? If not to what relief he is entitled to?

18. L-42012/158/97-IR (DU) dt. 6-7-98 (I.D. No. 124/98)

Whether Sri Ram Kishore Pathak son of Sri Ramakanath Pathak can be treated as an employee of Central Institute of Medicinal & Aromatic plant Lucknow? If so whether the termination of his employment w.e.f. 21-2-97 is just and legal? If not to what relief he is entitled?

2. As common question of facts and law are involved in the above industrial disputes, hence it is proposed to dispose off them by common award.

3. Briefly stated facts of the cases of the workmen involved in Industrial Dispute case nos. 126/98, 122/98, 99/98, 119/98, 120/98, 124/98 and 123/98 are that all of them were engaged by the management of Central Institute of Medicinal & Aromatic Plant (for short CIMAP), Lucknow, without issuance of any letter by the management of CIMAP against permanent post of guard and they continued to work as such till 21-2-97 when their services were terminated abruptly and illegally without any reason. It is alleged that the management of CIMAP is an Industry and that the provisions of Contract Labour & Abolition Act are applicable on the opposite party. The engagement of the workmen by the opposite party was made in the wake of unfair labour practice against permanent post of Guard. The post against which these workmen were

engaged is still in continuation and that after their disengagement fresh hands were engaged by the opposite party management which is illegal, unfair and unjust and against the principles of natural justice. It has also been alleged by the workmen that they have not been paid by the opposite party wages at par to those of persons appointed regularly to perform the same work which were being performed by these workmen.

4. It is also alleged by the workmen that the opposite party is not having any valid licence nor they are registered under the provisions of Contract Labour and Abolition Act, hence opposite party were not validly authorised to deploy labour on contract basis and that these workmen employed in the name of contract labour were the direct employee of the opposite party having relationship of Employer and Employee between the workmen and the opposite party. The opposite party prepared various vague bogus, baseless and fabricated documents with the help of some outside agency with a view to deprive the workmen of attaining the status of a permanent employee of the opposite party. It is also alleged that the opposite party has tried to expose these workmen as a contract employee with the help of these forged documents prepared much after the engagement of the concerned workmen. It is also alleged that these documents have been forged by the opposite party some time in the year 1996 whereas the workmen were in the employment of the management much before 1996 and that the opposite party paid these workmen salary directly. It has been alleged that these workmen had been in the direct employment of the opposite party and thereby they had completed more than 240 days in an year preceding the date of alleged termination of their services. It is also alleged that the opposite party has breached the provisions of Sec(s) 25-F, 25G, 25H of the Industrial Disputes Act, read together with the provisions of rules 76, 77 and 78 of I.D. (Central) Rules, 1957, in as much as neither the notice pay nor retrenchment compensation was given to these workmen at the time of their termination of services nor the opposite party provided them an opportunity of reemployment while inducting fresh hands in their respective place to perform the same kind of work. It is also alleged that the entire action as above is fully covered under the definition of Unfair Labour Practice as defined under section 2(ra) of the Act. The opposite party has also violated the provisions of Section 25-N of the Act read with the provisions of Section 9A of the Act as the management opposite party had not taken prior permission of the Central Government while effecting change in the service condition of these workmen. On the basis of above allegations it has been prayed that these workmen be declared to be the direct employee of the opposite party and that there exist relationship of employer and employee between the parties; that their termination of service w.e.f. 21-2-97 be held to be illegal, void and unjustified on the ground of breach of various provisions of the Act and that

these workmen be reinstated in the service of the opposite party at the post which was occupied by them on the date of their illegal termination and that the workmen be also awarded entire back wages together with all consequential benefits treating as if their services have never been removed by the opposite party.

5. Common case of workmen involved in Industrial Dispute case nos. 149/98, 150/98, 146/98, 144/98, 147/98, 151/98, 145/98, 148/98, 154/98, 152/98 and 153/98, are that the applicants were functioning as security guard in opposite party under the supervision and control of the Union of India in the garb of its administration. It is further alleged that these applicants were engaged as security Guards through M/s Vikas Security Guard Service, Lucknow, and since then they are continuing working without any break in service. The applicants had successfully undergone the civilian security training and as such they are well qualified and eligible for the post of security guard. The opposite party is governed and administered by Union of India and that the opposite party is responsible wholly for supervision and control of the establishment under which the applicants were functioning. The work of the applicants are of permanent nature hence it cannot be said that the work is over or extinguished. The applicants have completed more than 240 days of continuous work in one calendar year in the same cadre and they were getting Rs. 72.22 paise per day as their wages. It is also by the applicants that the opposite party is going to make fresh appointments in place of the applicant in an absolutely illegal and unconstitutional manner. Prior to it is further alleged by the applicants that prior to utterance of their oral order of termination, neither the applicants were ever afforded any reasonable opportunity at all of hearing nor they were served with any notice and all of sudden they were prohibited to sign on the attendance register on 3-2-97 and in this view of the matter the oral order of termination of services of the applicants has no legs to stand at all in the sphere of law and there is nullity in itself too, which deserves to be made ineffective. It is further alleged by the applicants that they were working as Security Guard through security guard agency and they were functioning on contract basis but after expiry of valid licence of contractor, they were functioning as an employee of opposite party as such they be treated as an employee of CIMAP. The oral termination order cannot be said to be material order hence cannot be implemented or enforced and cannot be made effective at all but the opposite party has made it effective to victimize the applicants for no fault of them. Depriving the applicants of their legitimate right by way of orally terminating their services and retaining juniors to them in service is the act on the part of the opposite party which hits the provisions as contained under Article 14 and 16 of the constitution of India. On the basis of these allegations it has been prayed by the applicants that they be reinstated in service w.e.f. 3-2-97 with all consequential service benefits admissible and permissible to the post which the applicants held.

6. Opposite party CIMAP has filed a composite written statement taking common grounds. It is alleged by the opposite party that the opposite party follows recruitment rules, policies and procedures for non-management staff in the line with the guidelines and instruction issued by Government of India through the parent CSIR from time to time and it has to comply with the recruitment rules and instructions and the applicants thus have to go through various activities of recruitment like submission of application form and nomination from employment exchange ex-servicemen board etc. and also had to face a written test at times then interview board, medical examination and thereafter finally the appointment letter is issued to the selected candidates. The present applicants have never been employed by CIMAP on any post and therefore no letter of appointment was issued to them at any point of time. There never existed relationship of Employer and Employee between the parties. The security of CIMAP is given on contract and the contractor takes full responsibility of security of the CIMAP according to his security know how its technicalities. M/s. Vikas Security Guard Services, Lucknow takes contract from different organisations and provides securities to their clients, and that it has also taken security contract in CIMAP. The contracts vary usually according to the size of the organization and different types of security needed at different times of the day/night and different place like office field, residential colony and so on. Since circumstances keep on changing the contract also get changed from time to time. It is further alleged that the security contract is job work contract and said work of security is to be executed by the contractor through who-soever adequately qualified and trained personnel and for that ex-servicemen are the best fitted persons deployed by the contractor for successful due execution of the contracted work. The claimants are not workman as defined under Section 2(s) of the Industrial Disputes Act, 1947, not even under deeming provisions of Section 2-A of the said Act, therefore there arises no industrial dispute between the parties and the claims are liable to be rejected in limine. The reference order is bad in law and invalid as there was no cause of action available to the applicants. Reference order is also bad in law due to misjoinder and non-joinder of parties. The question of providing appointment orally to any person under the opposite party does not arise at all as all appointments of any category have to be made by order in writing, hence question of termination does not arise. Neither the applicants were appointed by the opposite party nor their services have been terminated by the opposite party and the allegations made by the claimants in this regard are absolutely false and ill motivated. The opposite party is a unit of council of Scientific and Industrial Research which is a Society registered under the Societies Registration Act XXI of 1860 of which main purpose is research and their present unit i.e. CIMAP is doing research on medicinal and aromatic plants. There are no industrial

activities as such and the opposite party is not an 'Industry'. It is also alleged that there is no profit motive in any of its activities as it researches to preserve dyeing plants and herbs and protect and develop herbs researching in them medicinal and aromatic values and varieties. It is also alleged that the present claimants who are outsiders being not employee of the opposite party are surreptitiously trying to have entry any how into the CIMAP and get holds of security point on their own which may be with their ill motive and thereby put CIMAP as a whole to remain in unforeseen risk.

7. Opposite party further denies the fact that it ever terminated the services of the claimants w.e.f. 3-2-97 and that no junior to these claimants were ever retained in the services of the opposite party. It is further alleged by the opposite party that M/s. Vikas Security Guard Services Lucknow is the security contractor of CIMAP and their employees are not the employees of CIMAP. The work and conduct of such employees are supervised controlled, checked and taken care of by the contractor himself and the dealing interest is only between CIMAP and security contractor and under no circumstances it is directly between CIMAP and the claimants. Since the claimants were not holding any post under the opposite party hence question of terminating the services of the claimants and filling up the post does not arise at all.

8. On the basis of above allegations it has been prayed that the claim of the claimants are devoid of merit and deserves rejection and that the claimants are not entitled for any relief whatsoever and that there is no relationship of employer and employee between the claimant and the opposite party hence there is no question of termination of services by the opposite party and also that there is no illegality or unjustifiability in any action of the CIMAP.

9. Claimants/workmen have filed their rejoinder in the case but nothing new has been stated there in except reiterating the facts already explained by them in their respective statement of claims.

10. Both parties have lead oral as well as documentary evidence in support of their respective cases.

11. During the course of hearing of the reference an application was moved on behalf of the management praying to decide the controversy whether the opposite party is liable to be termed as Industry under the provisions of Industrial Disputes Act, 1947, as enshrined under section 2(j) of I.D. Act and also prayed that this may be decided as preliminary issue the so called preliminary issue raised by the management alongwith other controversial issues under reference may be taken up together. However, the issue is being decided first as per prayer.

12. The contention of the employer [Central Institute of Medicinal & Aromatic Plant, (hereinafter referred to as CIMAP) for the sake of brevity], is that the management of CIMAP is not an industry hence the jurisdiction of this Tribunal is not called for to reply the reference received

from the Government of India. While the contrary contention of the workman is that the CIMAP is an Industry and is fully covered under the above provisions of the Act and that the issue in dispute should be decided at the time without trying some of them as preliminary issues. The workers contention finds support from the law laid down by the Hon'ble Supreme Court reported in civil appeal No 3844 of 83 D. P. Masheshwari *versus* Delhi Administration and above where in the Hon'ble Supreme Court was pleased to lay down to decide the preliminary issue on the ground whether such threshold bars jurisdiction is really answer and whether it will not lead to other bowful consequences. On the basis of pleading on the above two controversies the Hon'ble Court was pleased to decide that the labour court disputes should be decided containing all issues in dispute at the same time without treating some of them as preliminary issues.

13. Now coming to the controversy whether CIMAP may be termed as 'Industry' as enshrined under Section 2(j) of the Act, it has to be decided on the basis of the definition as defined under sub-section (j) of Section 2 of the Act and having been considered and guideline given by Hon'ble Judges while deciding the controversy as laid down in various case laws.

14. Section 2 (j) of the I.D. Act defines Industry to mean any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment handicraft, or industrial occupation or avocation of workmen. On the question as to what falls within and what falls outside the statutory concept of industry, the Hon'ble Full Bench of Supreme Court while deciding the civil appeals of Bangalore Water Supply & Sewerage Board *versus* A. Rajjappa and others alongwith other appeals it has been held that industry as defined under sub-section has wider import. Where there is systematic activity carried on by cooperation between an employer and his workmen for the production, supply or distribution of goods or services with a view to satisfy human wants or wishes *prima facie* there is an industry in the enterprise. It has also been held that business of profit motive and gainful object is irrelevant, to be a venture which was private and others. Its true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer employee relations and also if the organisation is a trade or business it does not ceased to be one because of philanthropy animation undertaking.

15. In the light of the above test held by Hon'ble Supreme Court it has to be seen whether CIMAP is covered under the definition of Industry or not. The contention raised by the management is that the object of the CIMAP is to make research of various kinds of aromatic plants which may result in abstraction of medicinal values and the purpose of research is to make available the improve varieties of various medicinal and aromatic plants. The contention raised by the opposite party is that the object of CIMAP is limited to research making only and it does not produce any product for commercial purposes. Strategy

document of CIMAP Vision and Strategy for Research and Development in Medicinal and Aromatic plant alongwith letter dated 16-5-96 written by the Director of CIMAP has been filed which is Ext. W-6 and W-5. On the basis of above D.O. letter it has been contended that the letter (Ext. W-5) itself speaks that the purpose of demonstration to sell the variety to one or more party on exclusive basis for them to be the distribution to its plaining materials for future. Thus the management's stand cannot be acceptable that the purpose of CIMAP is only limited to research one. The submission made on behalf of the workmen that the CIMAP is well covered under the definition of Industry as defined under the provisions of section 2(j) of the Act is also supported by the law laid down by the Hon'ble Supreme Court in the case reported in LLJ, 1996, page 1223 wherein the Hon'ble Court was pleased to hold that the scheme undertaken by the forest department cannot be regarded as sovereign functions of State and that there was no threshold bar in knocking the doors of industrial courts by raising a grievance for adoption of unfair labour practice. It has been clearly laid down that even department discharging sovereign functions if there are units which are industries and they are substantially separable then they can come within the section of 2(j) of the Act. In view of law laid down by the Hon'ble Supreme Court it has clearly been laid down that in such circumstances the management of such undertaking can be covered under the definition of Industry.

16. In Bangalore Water Supply case (supra) it has also been laid down that absence of profit motive and gainful object is irrelevant. The true focus is functional and decisive test is nature of activities with special emphasis of employer and employee relation. Yet in another case law reported in 1996 LLJ page 1223 Chief Conservator of Forest *versus* Jagannath the same view has been laid down and such grounds can be considered to come within the ambit of section 2 (J) of the Act.

17. Yet in another case reported in 1998 (3) SCC page 259 Coir Board Ernakulam *versus* Indira Devi it has been held by Hon'ble Supreme Court that activities systematically and habitually undertaken for production or distribution of goods for rendering material services to the amount and large with the help of employees and profit motive was considered as not material. The Hon'ble Court held even activities such as education, recreations, research and a like with benefit come under the level of industry. In this context the law relied on by the management reported in 1970 (20) FLR page 215 SC Vishakhapatnam D.L. Board *versus* Estevedores Association and also the law laid down by the Hon'ble Supreme Court reported in FLR 1997 (76) page 212 Physical Research Laboratory *versus* K. G. Singh wherein the Hon'ble Supreme Court was pleased to hold the management of Physical Research Industry not as Industry. It may respectfully be said that the law laid down by the Hon'ble Supreme Court in cases relied on by the opposite party is not applicable on the facts of the present case and does not support the contention of the

management at all. In the case of Physical Laboratory (supra) the law laid down is distinguishable and it is held that the aspect of not producing and distributing the services which are intended or meant for satisfying human wants and needs, as ordinary understood which fully find in the present case having been vested with the management. The other law relied on by the management is of no avail to them.

18. After carefully following the law laid down by the Hon'ble Supreme Court above, it is held that CIMAP is fully covered under the definition of 'Industry' as defined under section 2(j) of Industrial Disputes Act, 1947.

19. The next controversy to be looked into and decided as referred by the Government is whether the respective workmen in above references could be treated as an employee of opposite party i.e. CIMAP. In this regard it has to be viewed from the evidence adduced by the parties and various case laws relied on by respective contesting parties. It is admitted case of the workmen that they were employees of contractor M/s. Vikas Security Agency and were posted for security job with the management of CIMAP. It has been argued on behalf of the workman that the workmen were direct employee of the management CIMAP as they had exercise supervision over the attendance of the workmen and had control over the duties and liabilities of the workmen. It is further contended that the administrative control of the contract labour was with the CIMAP management thus the contractor was to go out of scene bringing together the principal employer and the contract labours rendering the employment as direct and resultantly a direct employee. The workmen have relied on the law laid down by the Hon'ble Supreme Court in 1999 (3) SCC page 601, the Secretary, HSEB *versus* Suresh and others. In the above noted case the Hon'ble Supreme Court has held that there was no genuine contract system prevailing at the relevant time wherein the Board could have acted as only the principal employer and as a licence employer on his won account, more so when at the relevant time the Board was not registered as principal employer under the Act. It was further held that once the Board was not the principal employer and the so called contractor was not a licenced contractor under the Act. The inevitable conclusion is that the so called contract system was a mere camouflage smoke and a screen and disguised in almost a transparent veil which could easily be pierced and the real contractual relationship between the Board, on the one hand, and the employees, on the other could be clearly visualised. The Hon'ble Court in the above noted case was pleased to direct the relief of reinstatement as granted by the Hon'ble High Court. In the case cited above it was also held that the words used in Contract Labour Regulation & Abolition Act 1970, should be give by best possible interpretation. In the case referred above it was found that the case is not in which there was no genuine contract labour system prevailing with the management. The facts of the case in hand are entirely different. In the present case there is no dispute about the genuine contract system by which the services of contract labour were engaged

while in the case referred above it was held that factually there was no genuine contract system prevailing at the relevant period. Under these circumstances, the Hon'ble Court was pleased to hold that there exist a contract relationship of workmen and the principal employer and the veil of contract labour was held to be a camouflage only. In the pending case however the facts are quite different.

20. In another case 1996 (6) SCC 439 Indian Petrochemicals Corp. Versus Shramik Sena and others relied on by the workmen the Hon'ble Supreme Court held that the workmen of the establishment working in statutory canteen managed by the contractor were workmen of the establishment for the purposes of Factories Act only and not ipso facto workmen of the establishment for other purposes. It is another story that in the above noted case the Hon'ble court had held a canteen workman is workman of the establishment and in that case the contention of the management that in the absence of provision of contract labour under the Contract Labour Regulation & Abolition Act, 1970, was not existed. Here as has already been stated the facts are entirely different. The disputed facts in the present case is that the work done by the so called workers are not integral part of the Industry concern. The contract labourers were engaged only for security purposes. In a case reported in AIR 1978 page 1410 the Hon'ble Supreme Court has laid down the test of determining the relationship of workmen and employer. It has been held that where a worker or group of workers produces goods or services and these goods/services are for the business of that other is, in fact the employer and that the employer has economic control over subsistence and continued employment. The facts of the present case speaks otherwise. The control over the workers has been proved to be with the licenced contractor as has been admitted case of the workmen from the very beginning as given in para (3) of the claim statement filed on behalf of the workmen. On behalf of the workmen certain documents have also been filed and relied upon by the workmen. Annexure VII of the list of document dated 29-4-2000 is the copy of resolution passed by the so called security guards held on 16-12-66 at 11.00 a.m. at Link Road Vikas Nagar Lucknow wherein it has been clearly resolved to make a request with the management of CIMAP to take them in their employment directly on the grounds that the work of security guard is of the perennial nature and the services of security guards are being taken for the last several years. It has further been resolved that in case the management fails to give employment to the security guards an industrial dispute may be raised.

21. Another document Ext. W-5 is on record which is a letter from RLC (C), Kanpur addressed to the Director of CIMAP requesting to please advise the contractor to keep the workers in employment to avoid complication when the services of one Sri Munim Kumar Chaturvedi were allegedly terminated by the contractor. These two documents further strengthens the case of the management that there existed no relationship of employer and employee between the contesting parties in the present case. Workers

witness Sri Rishi Deo Mishra in his examination in chief has also admitted that the services of the workers were engaged through an Agency M/s. Vikas Security.

22. Further reliance by the workmen has been laid down on the law reported in 1994 (5) SCC page 304 RK Panda and others Versus SAIL and others. The Hon'ble Court considering the continuous employment for the past 8 years merely on the basis of court's interim orders of the Hon'ble Supreme Court and a substantial number of jobs in which they were employed were identified by the Government for the abolition of Contract Labour, the Hon'ble Supreme court held that the contract labours engaged for long periods (10—20) years subsequently continuing in employment on account of interim orders, the court granted relief of absorption with certain directions. In the present however there is no dispute evidence on record that these so-called workers engaged as security guards had been in the continuous service for more than 10 years or so. On the contrary the guards claiming to be workers have not been able to establish continuous engagement for such a long period with the management under a camouflage of direct employment. It has also been held in the case that contract Act does purport to abolish contract labour in its entirety. There is also no evidence on record to the effect that incoming contractor was the employee of outgoing contractors. In a case reported in 1991 (2) SCC page 176, the Hon'ble Supreme Court while deciding the case of Mathura Refinery Mazdoor Sangh vs. Indian Oil Limited Mathura refused to grant relief to absorb contract labourers in its employment on the ground that the contract labours have not been found to have a direct relationship of Indian Oil Limited and the contract Labourers.

23. From the facts and evidence adduced by the parties it has to be examined whether the contract labourers have become employees of principal employer in course of time and whether the engagement and employment of labourers through a contract is a mere camouflage and smokes screen as a matter of fact and has to be established by the contract labourers on the basis of requisite material. Thus heavy onus lies on the workers to prove this fact.

24. Apart from oral evidence, documentary evidence on behalf of the workers as well as the management of CIMAP have been filed. Worker has filed Ext. W-1 a letter addressed to M/s Vikas Security Guards Service by the Section Officer of CIMAP opposite party informing the security guards about the revision of minimum wages w.e.f. 1-9-95. The said letter cannot be accepted as a piece of evidence to prove the fact that there existed a direct relationship of employer and employee between the workmen and CIMAP, annexure 7 filed by workmen is in the nature of resolution of the Union resolving to make a prayer with the CIMAP to take them into employment. This clearly shows that there existed no relationship of employer and employee between the workers and the CIMAP as claimed by the petitioners. In the said resolution it has been admitted

that the payment of wages is made to the workmen through the contractor. Thus the CIMAP is not directly responsible for making the payment of wages to the workers. Ext. W-2 is a scheme about the posting of various security guards at various points. Annexure 3 filed by the workers is a letter written by ALC(C) to CIMAP directing issuance of form 5 certificate of contract to obtain licence with the labour office to avoid any legal action. Thus the existence of Contract Labour was also recognised by the labour department. Workers document no. 4 is in respect of the absorption of casual labours. It does not at all relevant to prove direct relationship of workmen and the employer. Lastly workers Ext. no. 5 is a letter issued by RLC to CIMAP Director requesting to advise the contractor, to keep the workers in the employment as his services were terminated by the contractor. Thus the documentary evidence filed by the workmen clearly proves the contractual position that the petitioners were employees of the licenced contractor and they had no direct relationship of workman with the employer CIMAP. The workers had also filed Ext. No. 8 whereby the workmen applicants have prayed with CSIR to take them into employment of CIMAP. Similarly workers ext. 9 is a letter addressed to CIMAP to recall the order of earlier termination. Thus these letters no where even suggest to the conclusion that the workers were in direct employment of CIMAP opposite party.

25. On the contrary the management has filed document annexure 1 copy of notice inviting tenders from the experienced licenced contractors for rendering security services. Annexure 2, 3 and 4 filed by the management are copies of letters written to M/s. Vikas Security Guard services for awarding the contract and extension of term of the contract respectively which was lastly made effective for one year w.e.f. 1-2-97. Annexure No. 7, 8, 9 and 10 are the copies of registration certificate issued by ALC(C) Lucknow, under sub-section 2 of Sec. 7 of the Contract Labour Regulation and Abolition Act, 1970. These registration certificate issued by ALC(C) Lucknow to M/s. Vikas Security Guards Services are quite proof of the fact that M/s. Vikas Security Guard Agency has been a licenced registered security agency under the contract Labour Act and was fully competent to deploy their own men for security services with the CIMAP.

26. From the various documents cited above on behalf of the rival parties lead to an irresistible conclusion that there existed no relationship of workman and the employer as claimed by the workers of the present case.

27. It is not the case of the workers that under the provision of section 10 of the Contract Labour Regulation & Abolition Act, 1970, appropriate government had issued any notification abolishing the contract labour system in the establishment of CIMAP. It is the obligation of the appropriate government to abolish such contract labour system prevailing in the process or operation in the establishment, the continuance of undertaking such an exercise by such government in connection with the establishment of principal employer are laid down the under

the provisions of section 10(2) clause (a) to (d) of the Contract Labour Regulation & Abolition Act, 1970. In the event of issuance of any notification prohibiting contract labour system, it is obvious that the prayer to abolish the contract labour doing of perennial nature on the establishment of the principal employer had the advantage of regulatory provisions under chapter V of the Act. The Hon'ble Supreme Court in the law laid down (reported) 1997 (9) SCC page 377 Air India Statutory Corporation and others versus United Union and others has considered this aspect in detail and has also held the consequence after the abolition of contract Labour system by the appropriate government. In the present case as has already been observed above that the scope and ambit of section 10 of the Act as held to be by the Hon'ble court is that on abolition of contract labour system from any establishment under section 10 of the Act, by the appropriate government, the logical and legitimate consequences there of that the erstwhile regulated contract labour covered by the sweep of such abolition for activities concerned would be entitled to be treated as direct employees of the employer on whose establishment they were earlier working and they would be entitled to be treated as in regular employees at least from the day in which the contract labour system in the establishment for the work which they were doing gets abolished. The facts of the case in hand are not similar to the facts of the law referred above as it is not a ground put on behalf of the workman that the contract labour system was abolished by issuance of the notification by appropriate government under section 10 (2) of the Contract Labour Regulation & Abolition Act 1970. Therefore the workers are not entitled to get any advantage of the law referred above and cited by them.

28. The Hon'ble Supreme Court of India in another case law relied on by the workman reported in 2001 (7) SCC. 1 Steel Authority of India Limited and others Versus National Union water fund workers and others has held that unless contract is held to be mere camouflage the workman cannot be treated as an employee of the principal employer.

29. The Hon'ble Supreme Court in another case reported in 1995 (5) SCC page 27 Gujarat Electricity Board Thermal Power Station OKAI Versus Hind Mazdoor Sangh and others has held that the industrial adjudicator can adjudicate dispute regarding relationship of employees of the principal employer on the ground that the contract was a sham but if the contract is found to be genuine the adjudicator may refer the workmen to appropriate government for abolition of contract system under section 10 and if the contract labour subsequently abolished the industrial adjudicator may decide after giving opportunities to the parties whether the workmen be absorbed by the principal employer. If the contract labour is not abolished by the appropriate government, the adjudicator would reject the reference.

30. The true test of deciding direct relationship of workmen with the management has been laid down by the Hon'ble Supreme Court in a case reported in AIR 1978

SC page 487 wherein the Hon'ble Supreme Court has held that where a worker or group of workers labour to produce goods or services and economic control over workers substance skill and continued employment. In the present case these essential elements are lacking and have not been at all proved by the worker in their evidence by stretch of imagination. In the said law laid down it has also been held that if there is total disassociation in fact between disowning management and aggrieved workers, the employment is, in substance and real life terms by another management adventitious connection cannot ripen into real employment.

31. The doctrine of lifting of the veil is not applicable on the facts of the present case. There is no iota of evidence to prove that M/s Vikas Security Agency was not a licenced contractor. It is also not proved that the management of CIMAP have over all control on the working of the workmen including administrative control, therefore, the petitioners of the present case cannot be held direct employees of the CIMAP also in the absence of any attendance register maintained by the CIMAP or their statutory duties and liabilities.

32. On the admitted facts as well as evidence adduced by the parties it is to be ascertained as to whether after applying the principle of lifting of the veil the existence of relationship of workmen and employer is sufficed or not. On examining critically the evidence on record lead by the parties it can safely be concluded that there does not exist relationship of employer and the workmen between the contesting parties and that there existed intermediary contract, is a mere eye wash.

33. The farmers of the act have allowed and refused contract labour and they have never purported to abolish it in its entirety as has been held in the law laid down by the Hon'ble Supreme Court in the case reported in 1994 (5) SCC page 304 RK Panda versus Steel Authority of India and others. Therefore unless under the provisions of Contract Labour Act contract system is abolished the contract labour cannot be treated employee of principal employer automatically.

34. As regards claim of workers relating to I.D. Case Nos. 98/98, 119/98, 120/98, 122/98, 123/98, 124/98 and 126/98 are concerned, the workers are claiming their title of their direct employment with the principal employer CIMAP and almost a common petition of claim containing the common grounds have been filed. However it is admitted case of the workers that the management did not issue any appointment letter and the engagement of the concerned workmen by the management of CIMAP has been done in the wake of unfair labour practice against permanent post of security guards. It has also been alleged by the workmen that the management is not registered under the Contract Act as such they are not authorised to deploy labour on contract basis and for all practical purposes it would be deemed that the workmen employed in the name of contract labour were actually the direct

employee of the management having real relationship of employer and employee between the management of CIMAP and the concerned workmen. It has further been clarified by the workmen that the management being the principal employer of the concerned workmen indulged itself in preparing bogus baseless vague and false documents with the help of some outside agency with a view to deprive the workmen of attaining the status of a permanent employee of the management. From these assertions made by the workmen in their claim statement it is clear that the workers have the knowledge that they have been employed by a contractor and engaged for working as security guard with the management of CIMAP. Therefore the case of these workers is also based on the same footing as of the workers who are admittedly engaged through contractors for security purposes.

35. On record the registration certificate issued by the concerned labour authorities in favour of the management and also the licence of contract in favour of the contractor are found therefore workers allegations that they are direct employees of the management of CIMAP cannot be accepted in the absence of any cogent evidence.

36. As the workers have also alleged that the management of CIMAP have indulged in preparing bogus documents to frustrate the claim of the worker but there is no evidence adduced on behalf of the workmen to substantiate the submission that the documents on record are bogus and are acceptable.

37. From the entire evidence on record it has to be concluded that there does not exist any direct relationship of employee and employer between the workers and the management of CIMAP, therefore industrial tribunal cannot give any verdict in favour of the workmen as claimed by them.

38. After having arrived on the conclusion that there does not exist any relationship of employer and employee between the management of CIMAP and the workmen, question of termination of their services by the management of CIMAP does not arise at all. To reiterate the fact that the workmen were employed by the management through contractor the services of the workers are not supposed to be terminated by the management of CIMAP.

39. On the foregoing discussions it is held that the workers were never employed by the management of CIMAP nor their services were terminated by the management of CIMAP and that none of the workers of the above I.D. cases are entitled for any relief as claimed by them.

Reference is answered accordingly. It is further ordered that a copy of this award be placed on each of I.D. Case file.

SURESH CHANDRA, Presiding Officer

नई दिल्ली, 22 सितम्बर, 2005

का. आ. 3783.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब एवं सिन्ध बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय लखनऊ के पंचाट (संदर्भ संख्या 128/2002 को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/43/2002-आई आर (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 22nd September, 2005

S.O. 3783.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 128/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the management of Punjab and Sind Bank and their workman, received by the Central Government on 21-09-2005.

[No. L-12012/43/2002-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Present

SHRIKANT SHUKLA

Presiding Officer

I.D. NO. 128/2002

Ref. No. L-12012/43/2002-IR(B-II) dated : 30-7-2002

BETWEEN

Shri Chatrapal Yadav, S/o Ishwarden Yadav
R/o Vill. Newada, Post Bahargaon,
Lucknow (U.P.) 226 001.

AND

The Chief Manager,
Punjab & Sind Bank,
Habibullah Estate, Hazratganj,
Lucknow (U.P.)-226 001.

AWARD

1. The Government of India, Ministry of Labour vide their order No. L-40012/73/2004-IR(DU) dated 29-10-2004 has referred the following dispute for adjudication to the Presiding Officer, Central Government

Industrial Tribunal-cum-Labour Court, Lucknow for adjudication :—

“Whether it is a fact that Shri Chatrapal Yadav S/o Shri Ishwardin Yadav was engaged to drive the vehicle of the management of Punjab and Sind Bank during the period from 15-5-1994 to 22-4-2001 and whether the action of the Chief Manager, Punjab and Sind Bank to terminate/discontinue him from service is justified and legal? If not justified, what relief is the disputant entitled to?”

Shri Chatrapal Yadav has filed the statement of claim alleging therein that he has been working as driver since 15-5-94 to 22-7-2001 in Hazratganj Branch, Lucknow and was always recommended and complemented by successive Chief Manager as an honest and hard working person. He was regularly paid his salary by the Bank Rs. 25000 per month up to March, 2001. It is alleged that he has been driving various cars No. DDQ 6037, UMS-6360, DL-3CK-3948 and UP-7-B-7001 etc. belonging to the respondent from 15-5-1994 upto March, 2001. On 22-4-2001 the worker was suddenly informed by the Chief Manager of the bank that some decision is to be taken by the bank about him. Thereafter the worker kept going to go bank regularly for his duties time to time, but was neither informed of what decision was taken by the Bank about him nor he was allowed to do any work and was not taken on duty. The opposite party has acted in most arbitrary and illegal manner by not paying his due salary and has resorted to unlawful and arbitrary retrenchment of the workman without any reason in an illegal manner. The worker waited for considerable time by bank that he will be soon paid his salary and will be informed about the decision of the bank, however, till date the situation remains the same. Unable to bear more any more the victimised worker has given a registered notice dated 20-6-2001 to the opposite party demanding the payment of his due salary. However, the opposite party has not responded even to the notice till date and hence Industrial Dispute has arisen under the provisions of Industrial Disputes Act, 1947. The worker has, therefore, prayed as under :

- (i) That the arbitrary and unlawful retrenchment of the worker has given rise to an Industrial Dispute for which the prescribed authority may please to summon the opposite party to attend the proceedings as required under Industrial Disputes Act, 1947.
- (ii) That issue an order or direction to the opposite party in favour of the worker remained (for appointing/joining) at the post of driver.
- (iii) That issue an order or direction to the opposite party in favour of the workman for payment of the all dues by the bank or opposite party in the interest of justice.

The opposite party has filed the written statement, disputing the claim of the workman and has stated that present case is not an industrial dispute under Section 2 K of Industrial Disputes Act, 1947. There is no relationship of employee and employer as such the provisions of Industrial Disputes Act, 1947 are not applicable in his case because, the claimant has never been an employee under the bank. It is alleged by the bank that this case is raised on fabricated facts only to get back door entry in the bank which is prohibited and against the spirit of the law of the land. The opposite party has submitted that eligible staff/officer of the bank are reimbursed of school fee, house rent, petrol, reimbursement and similarly the Executives are entitled to the reimbursement of personal drivers charges engaged by the for bank car provided to them. At present Executives at Mumbai are reimbursed with maximum Rs. 3000/- per month, Executives posted at Delhi, Kolkata, Chandigarh, Bangalore & Hyderabad are reimbursed with a maximum ceiling of Rs. 2,700/- per month whereas the Executives posted at other centres are reimbursed with Rs. 2,500/- per month for their personal drivers engaged by them as per their choice and suitability. The worker, Chatrapal Yadav worked as personal driver engaged by the Executives of the bank are not considered as employees of the bank. The pattern of the regular selection of the bank employee in different cadres are done in accordance to the rules and no one can use his personal engagement as a way of back door entry in the bank. Worker does not fall under the definition of workman as provided in Industrial Disputes Act, 1947. The worker was never engaged for miscellaneous work as alleged by him. It is also alleged that prayer for joining at the post of driver is not acceptable, no dues are outstanding against the bank, hence all the prayers made by the worker are bogus and baseless and not liable to be accepted. Therefore, the case of the complainant is liable to be rejected to meet the ends of justice.

In reply it is submitted that right from the year 1994 till July, 2001 there has been a clear and direct relationship of employee and employer between the worker and the bank as the worker has always been driving cars belonging to the bank and not personal car of any particular Chief Manager or the Officer or any body else as his personal driver. It is submitted that the worker was directly and regularly drawn his salary from the bank. He has also stated that the worker has been appointed as Bank's driver, as such, he comes under the provisions of Industrial Disputes Act, and has every right to demand regular employment in the Bank as per the Rules of the Bank.

The worker has filed photostat copies of the following documents :

1. Photo copy of letter dtd. 16-8-2000 of Chief Manager, Punjab & Sind Bank addressed to Branch Manager, National Ins. Co., Lko.

2. Photo copy of receipt for Rs. 2500/- towards payment of driver for the months of Feb., 2000, dtd. 1-2-2000.
3. Photo copy of letter dtd. 31-5-97 of Chief Manager, Punjab & Sind Bank addressed to Chief Manager, Punjab & Sind Bank, N. Delhi.
4. Photo copy of letter dtd. 7-8-2000 of Chief Manager, Punjab & Sind Bank addressed to Zonal Manager, Punjab & Sind Bank Lko regarding Mr. Chatrapal—Driver.
5. Photo copy of application of Chatrapal addressed to Chief Manager, Punjab & Sind Bank, Lko.
6. Photo copy of receipt for Rs. 2500/- towards payment of driver for the month of Jan., 2001 dt. 31-1-2001.
7. Photo copy of letter dtd.....of Chief Manager, Punjab & Sind Bank addressed to Branch Manager, National Ins. Co., Lko regarding theft of car.
8. Photo copy of receipt/application of the worker for payment of charges to drive car for three days.
9. Photo copy of voucher dtd. 4-10-2000.
10. Photo copy of driving Licence of the worker.
11. Photo copy of ration card of the worker.
12. Photo copy of identity card of the worker, issued by Election Commission of India.
13. Photo copy of illegible documents purported to be employment exchange card.
14. Photo copy of caste certificate of the worker.
15. Photo copy of certificate issued by Chief Manager, Punjab & Sind Bank, Lko.
16. Photo copy of caste certificate of the worker.
17. Photo copy of mark sheet of Junior High School in respect of worker.
18. Photo copy of transfer certificate in respect of worker.
19. Photo copy of letter of Chief Manager (P), Punjab & Sind Bank, addressed to Chief Manager, Punjab & Sind Bank, Lko regarding driver engaged on bank's car on reimbursement basis.
20. Photo copy of request to absorb in regular service of the bank by worker with annexure.
21. Photo copy of request to absorb in regular service of the bank by worker.

22. Photo copy of receipt for tyre repairing.
23. Photo copy of invoice No. 2739 dtd. 24-6-2000 regarding repairing of car No. DL 3CK/3948.
24. Photo copy of invoice regarding repairing of car No. DL 3 CK/3948.
25. Photo copy of invoice regarding repairing of car No. DL 3 CK/3948.
26. Photo copy of invoice regarding repairing of car No. DL 3 CK/3948.
27. Photo copy of cash memo regarding repairing of car No. DL 3 CK/3948.
28. Photo copy of cash memo regarding repairing of car No. DL 3 CK/3948.
29. Photo copy of letter dtd. 10-12-1999 of Chief Manager, Punjab & Sind Bank addressed to Zonal Manager, Punjab & Sind Bank Lko regarding Mr. Chatrapal—Driver.
30. Photo copy of application of worker regarding request for regularisation.
31. Photo copy of voucher Dt. 31-10-2000.
32. Photo copy of job order No. 5712 for repairing of car.
33. Photo copy of job order No. 715 for repairing of car No. DL 3 CK/3948.
34. Photo copy of job order No. 0114 for repairing of car No. DL 3 CK/3948.
35. Photo copy of job order No. 715 for repairing of car No. DL 3 CK/3948.
36. Photo copy of receipt dtd. 5-3-99 for repairing of car No. DL 3 CK/3948.
37. Photo copy of job order No. 759 for repairing of car No. DL 3 CK/3948.
38. Photo copy of job order No. 570 for repairing of car No. DL 3 CK/3948.
39. Photo copy of receipt for repairing of car No. DL 3 CK/3948.
40. Photo copy of job order No. 259 for repairing of car No. DL 3 CK/3948.
41. Photo copy of receipt for repairing of car No. DL 3 CK/3948.
42. Photo copy of job order No. 259 for repairing of car No. DL 3 CK/3948.
43. Photo copy of job order No. 114 for repairing of car No. DL 3 CK/3948.
44. Photo copy of job sheet for car No. DL 3 CK/3948.
45. Photo copy of receipt for repairing of car No. DL 3 CK/3948.
46. Photo copy of receipt of No. 187 dtd. 18-5-99 for repairing of car No. DL 3 CK/3948.
47. Photo copy of receipt for repairing of car No. DL 3 CK/3948.
48. Photo copy of credit voucher No. 11071 dtd. 16-3-99 for stationary.
49. Photo copy of letter dtd. 20-7-98 of Chief Manager, Punjab & Sind Bank addressed to Zonal Manager, Punjab & Sind Bank Lko regarding salary of driver for the month of June 98.
50. Photo copy of letter dtd. 24-11-98 of Chief Manager, Punjab & Sind Bank addressed to Branch Manager, National Ins. Co., Lko regarding accident of car No. DL 3CK/3948.
51. Photo copy of certificate of work under Sh. S.S. Jauhari.
52. Photo copy of certificate of work by Chief Manager, Punjab & Sind Bank, Lko.
53. Photo copy of receipt dtd. 10-12-98 of repairing car No. DL 3CK/3948.
54. Photo copy of receipt dtd. 13-1-99 of repairing car No. DL 3CK/3948.
55. Photo copy of receipt dtd. 17-12-98 of repairing car No. DL 3CK/3948.

The opposite party has filed following documents:

1. Photo copy of letter of Chief Manager (P), Punjab & Sind Bank, addressed to Chief Manager, Punjab & Sind Bank, Lko regarding driver engaged on bank's car on reimbursement basis.
2. Photo copy of request to absorb in regular service in the bank by worker with annexure.
3. Photo copy of request to absorb in regular service of the bank by worker.

The worker has examined himself.

The opposite party has examined Sh. Surya Prakash, officer of the bank.

The opposite party did not come forward for the argument therefore, heard worker's representative alone.

Worker has not filed any letter to show that he was appointed as driver by the bank. No averment has been made to the effect that the worker was called for interview, was selected and was given appointment offer and in

pursuance of appointment offer, he was given any appointment letter by the bank. The cash memo filed by the worker itself goes to show that he was personal driver. Such photostat copy of receipts for the month of February, 2000 is filed by the worker himself. The worker has filed the certificates of Chief Manager, Punjab & Sind Bank dtd. 29-10-99 clearly certifies that Sh. Chatrapal Yadav was working as personal driver since 1994 with various executive officers of the bank till date. The photo stat copy of certificate dtd. 29-10-99 has been filed by the worker himself. Worker has filed another letter of Chief Manager dtd. 10-12-99 addressed to Zonal Manager, Zonal Office, Lucknow which also shows that worker, Chatrapal was working as personal driver of the Chief Manager in Lucknow and has been personal driver of Mr. Jogeshwar Singh, Sh. A.S. Khanna and Mr. S.S. Jha, Chief Managers and on 10-12-99 he was personal driver of the Chief Managers and on 10-12-99 he was personal driver of the Chief Manager.

The worker has also filed two photo copies of certificates dated 19-4-99 and 29-10-99 which clearly establish that Mr. Chatrapal was the private and the personal driver.

The officer of the bank Sh. Surya Prakash has stated that Chatrapal was not appointed by the bank. He also stated that Chatrapal was not employee of the bank. Further he stated that Chief Managers are reimbursed for engaging personal drivers and officers are at liberty to appoint their personal drivers. He has also stated that bank has nothing to do with Chatrapal. Bank has neither appointed Chatrapal nor has terminated. The said officer has replied in the cross examination that the bank provides vehicles to the Chief Manager but does not provided drivers to the officer and a Chief Manager is at liberty to appoint his personal driver in the private capacity with the restriction that the amount up to 2500/- can be reimbursed.

In the circumstances stated above it is clearly established that Chatrapal was not an employee of the bank instead he was personal driver of the Chief Managers from time to time. There existed no relationship of employer and employee between Chatrapal and Punjab & Sind Bank, Lucknow. When the Chief Manager employed the driver in his personal capacity that case if he is removed from the service, is not the subject matter of Industrial Disputes Act, 1947. Employing the driver in personal capacity by the Chief Manager cannot be termed as worker's employment by the bank. In the circumstances the worker, Chatrapal is not an industrial worker and the dispute is not an industrial dispute. In case Chief Manager of Punjab & Sind Bank terminates or discontinues the services of his driver, remedy is not available under the Industrial Disputes Act, 1947 and such disputes are bad in law. The issue is answered accordingly.

Lucknow
15-9-05

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 22 सितम्बर, 2005

का. आ. 3784.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ोदा के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2 नई दिल्ली के पंचाट (संदर्भ संख्या 11/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/270/95-आई.आर. (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 22nd September, 2005

S.O. 3784.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 11/1997) of the Central Government Industrial Tribunal-cum-Labour Court No. 2 New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 21-09-2005.

[No. L-12012/270/95-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Presiding Officer : R.N. RAI

I.D. No. 11/1997

In the matter of :

Shri Ramesh Chand Dwara,
S/o Shri Chandan Lal Dwara,
Bazriya, P.O. Khutar,
Tehsil : Provachan,
Distt. Shajan Pur.

Versus

The Regional Manager,
Bank of Baroda, Regional Office,
Govindganj, Shajan Pur-242 001.

AWARD

The Ministry of Labour by its letter No. L-12012/270/95-IR(B-II) Central Government Dt. 31-12-1996 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the action of the management of Bank of Baroda, Regional Office : Shahjahanpur in terminating the services of Shri Ramesh Chand, Pcon,

w.e.f. 30-09-1994 is just and legal? If not, to what relief is the workman entitled."

The workman applicant has filed statement of claim. In the statement of claim it has been stated that the workman was initially appointed in the Management Bank in the year 1985 to work as a temporary peon and he worked for 39 days at Khuttar Branch and again for 156 days at the same Branch during 1985-1986 under Bank's Shahjahanpur Region. The above fact would be born out from the records of the said Branch.

That after the workman had worked at Khuttar Branch for a total of 195 days till October, 1986 he was not given any further employment at Khuttar Branch or at any other Branch of the bank under Shahjahanpur Region.

That after October, 1986 the workman was appointed in the bank from 09-11-1992 again at Khuttar Branch on oral orders of the Manager of the Branch, which was subsequently approved by Regional Office, Shahjahanpur vide their letter dated 24-05-1993, a Photostat copy of which is being enclosed as Annexure-W/1 hereto.

That while appointing the workman from 09.11.1992, the workman was required to produce necessary certificate in support of his age and educational qualification, Caste Certificate and Employment Exchange Registration Certificate and his appointment was made after ascertaining his eligibility for the post of a peon and after assessing his suitability for the said post. Copies of the certificates submitted by the workman are enclosed as Annexures W/2, W/3, and W/4. That though the post vacancy in which the workman was appointed at Khuttar Branch, from 09.11.1992 was permanent and the workman was required to perform the duties of a regular, full-time peon, but the management initially paid to him only lump-sum wages at the rates of Rs. 35/- per day till May, 1993 and from June, 1993 the Bank started paying the full scale wages payable to a member of subordinate staff under the BPS and his name was also entered in the staff attendance register of the Branch.

That at the time of appointment of the workman at Khuttar Branch from 09-11-1992, only one permanent member of subordinate, Shri Misri Lal, was working there and as he was working as a daftry the duties of an office peon including the duties of cash peon were being performed by the workman. Earlier to that, there was also a temporary peon working in the Branch and before the posting of Shri Misri Lal, there were two permanent members of subordinate staff in the said branch, namely Shri Sushil Kumar Jaswal and Shri Puran Lal who had been transferred from Khuttar Branch before the posting of Shri Misri Lal.

That after the workman had worked in the existing permanent post/vacancy of peon at Khuttar Branch for nearly two years to the full satisfaction of the authorities

of the Branch and without there being any complaint about his work and/or conduct, his services were abruptly terminated on 30-09-1994 without any reason being assigned to him and without any prior notice.

That while terminating the services of the workman from 30-09-1994, persons junior to him who were working as temporary peons at other branches in the same Region were continued in service and after termination of his services, another person, Mr. Hari was appointed as a temporary peon at the Khuttar Branch while several persons who had earlier worked as temporary peons like the workman were taken up as permanent peons at various branches under Shahjahanpur Branch.

That aggrieved by such unjust and illegal action of the management in terminating his services from 30-09-1994 when he had already become entitled to be treated as a permanent peon by virtue of his long two years employment in a permanent vacancy, he raised an industrial dispute in the matter before the ALC(C), Dehradun on 01-10-1994 but the conciliation proceedings initiated and held by the ALC failed in bringing about any settlement of the dispute on 15-06-1995, leading to the present order of reference made by the Government to this Hon'ble Tribunal for adjudication of the dispute.

That the facts of the case being as briefly stated above, the action of the management Bank in terminating the services of the workman w.e.f. 30-09-1994 when he had already become entitled to be treated as permanent peon is liable to be held as unjustified and illegal and hence, to be set aside on the following amongst other grounds :

- (a) Because even though initially during the year 1985-1986, the workman was employed to work in temporary vacancies of peon at Khuttar Branch, the post/vacancy of peon in which he was appointed at this Branch from 09-11-1992 was permanent as brought out in Sub-Para (f) of Para 2 earlier in this statement of claim.
- (b) Because the post/vacancy of peon in which the workman was appointed at Khuttar Branch from 09-11-1992 being permanent, he could not be treated as a daily wage employee and /or even as a temporary employee within the meaning of clause 20.7 of the BPS dated 19-10-1966 reading as under :

" 20.7. In supersession of paragraph 21.20 and sub clause (c) of paragraph 23.15 of the Desai Award, "Temporary Employee" will mean a workman who has been appointed for a limited period for work which is of an essentially temporary nature, or who is employed temporarily as an additional workman in connection with a temporary increase in work

of permanent nature, and includes a workman other than a permanent workman who is appointed in a temporary vacancy caused by the absence of a particular permanent workman."

It is submitted that the workman was appointed a Khuttar Branch from 09-11-1992 in an existing and continuing permanent vacancy of peon, as clearly brought out in Para 2 (f) hereinbefore and therefore, it could not be said that he was appointed for work of a temporary nature, nor could it be said that he was appointed as an additional workman in connection with a temporary increase in work of a permanent nature and he was also not appointed as a substitute in any temporary vacancy arising from the absence of any particular permanent peon.

It is submitted that in view of the above facts and also in view of the fact that the permanent vacancy of peon in which the workman was appointed at Khuttar Branch from 9-11-1992 was still existing when his services were terminated from 30-09-1994 the action of management in terminating his services was arbitrary, malafide, hence unjust and illegal.

- (c) Because in terms of clause 20.8 of the BPS dated 19-10-1966 a workman could not be appointed/continued as a temporary for more than three months in a permanent vacancy during which the bank has to make arrangements to fill the vacancy permanently. The said clause reads as under :

"20.8. A temporary workman may also be appointed to fill a permanent vacancy provided that such temporary appointment shall not exceed three months during which the bank shall make arrangement for filling up the vacancy permanently. If such a temporary workman is eventually selected for filling up the vacancy the period of such temporary employment will be taken into account as part of this probationary period."

- (d) Because in the present case the vacancy of peon in which the workman had been appointed at Khuttar Branch from 09-11-1992 was permanent and the appointment of the workman was made after duly ascertaining his eligibility and suitability for appointment as a peon, also taking into account his past experience or working as a peon in 1985-86 as brought out in Para 2 (d) hereinbefore, followed by approval of his appointment by Regional Office by a letter dated 24-05-1993, therefore when the workman was continued in the said permanent vacancy beyond three months from 9-11-1992 with no other arrangement being

made by the bank to fill up the vacancy permanently, the workman was deemed to have been selected from filling up the said vacancy permanently and accordingly he was entitled to be treated as a probationer from the date of his appointment in the said permanent vacancy i.e. 09-11-1992 and to have been appointed as a permanent peon after expiry of six months from 09-11-1992.

In view of the above the termination of the services of workman from 30-09-1994 without compliance with the rules governing termination of services of permanent employees in the Sastry/Desai Awards and in the BPS was invalid.

- (e) Because when clauses 20.9 and 20.10 of BPS dated 19-10-1966 provided for treating as confirmed the temporary employees who had worked for 240 days upto or before its date and clause 20.11 of the said settlement provided for taking as probationers the temporary employees who had worked for 120 days upto or before its date this meant that the management had agreed/recognized in principle that a temporary employee on working for 120 days or for 240 days would acquire the status of a probationer or a confirmed employee as the case may be.

It is submitted that even though the above provision the BPS dated 19-10-1966 were intended to apply to the then temporary employees, but the principle agreed to recognized therein could not be given by the management after the implementation of the said settlement and it did not mean that the management could restart the unfair practice (which was rectified in the said BPS) by employing and continuing the employment of persons as temporaries in permanent vacancies and initium as before. Therefore, when the workman had worked not only for 240 days but had worked for nearly two years in a permanent vacancy after ascertaining his eligibility and suitability for the post of peon before this appointment at Khuttar Branch from 09-11-1992 which was subsequently approved by regional office the termination of his services from 30-09-1994 was even in violation of clause 20.8 of BPS of 19-10-1966 as well as against the spirit of clauses 20.9, 20.10 and 20.11 of the said settlement.

- (f) Because even after this BPS the bank had agreed/decided to absorb such temporary peons who had worked for 240 days or more in any 12 calendar months as confirmed employees, and so when the workman had completed more than 240 days service during the first calendar months from 09-11-1992 itself, the termination of his services from 30-09-1994

was clearly malafide, intended to deprive him of the benefit of permanency in service under the above criteria.

- (g) Because when the workman had worked for more than 240 days preceding 30-09-1994 and thus completed one year's continuous service within the meaning of S.25B of ID Act, and as termination of his services from 30-09-1994 constituted "retrenchment" within the meaning of S.2 (00), the termination of his services without compliance with the conditions prescribed in S. 25F of the Act, was ab initio void.
- (h) Because such action of management was invalid also for the reason of being in breach of S. 25 G of ID Act in as much as other temporary peons junior to him in branches under the same region were retained in service while terminating the services of the workman.
- (i) Because the termination of services was malafide and bad in law in that after terminating the services of workman, the management gave employment in the same vacancy at Khuttar Branch to another person and to other persons at branches under the same region, thus thwarting his right under S. 25 H and several persons including those junior to him who had worked as temporaries for much lesser period than him were absorbed as permanent peons after termination of his services.
- (j) Because when even such temporary peon who had worked even for 90 days between 01-1-1982 and 31-12-1990 were made entitled to absorption as permanent peons the denial of such benefit to the workman who had worked for 195 days during the same period and who was appointed to work in a permanent vacancy from 09-11-1992 and then terminating his services after he had worked in such permanent vacancy for about two years was utterly more so when the vacancy still continues.
- (k) Because the action of management in terminating services of workman from 30-09-1994 after he had worked sufficiently long in permanent vacancies also constituted an unfair labour practice within the meaning of item (10) of the 5th Schedule the ID Act namely "To employ workmen as badlis, casuals and temporaries and to continue them as such for years with the object of depriving them of the status and privileges of permanent workmen" and since such and other unfair labour practices enumerated in the 5th Schedule had

been statutorily prohibited by Section 25-T of the ID act, the action of management in continuing the workman as temporary in permanent vacancies for long and then abruptly terminating his services w.e.f. 30-09-1994 was bad in law for the reason of being violative of S. 25 T of the ID Act read with the 5th Schedule thereto.

- (l) Because in as much as that the services of the workman were terminated from 30-9-1994 without any prior notice and without any written order, such action of management was violative of provision of paragraph 522 of the Sastry Award.
- (m) Because the termination of services of the workman from 30-9-1994 was illegal also for the reason of being in violation of the following specific provision of paragraphs 524 (10) and 524(4) and paragraph 522 (6) of the Sastry Award.

"522 (6)—In cases of contemplated closing down or of retrenchment of more than five employees the following procedure shall be observed :—

- (a) two months notice of such proposed action shall be given individually to all the employees concerned, with a statement of the reasons for such proposed action.
- (b) the Manager or an officer empowered in this behalf shall within the period of such notice here any representation from the employees concerned or any registered trade union of bank employees.
- (c) After the hearing of such representation and the receipt of a report in the matter if necessary by the management, if it decide to give effect to the contemplated closing down or retrenchment in the original or and amended form, the services of the employees may be terminated by giving notice or payment in lieu thereof for the periods prescribed above."

It is submitted that apart from the workman, the management had retrenched the services of at least seven other temporary workmen working at different branches of the bank under its shahjahanpur region along, namely S/ Shri Ramkishan from Banda Branch Lal Bahadur from Govindganj Branch, Uma Shanker from Muradpur Branch, Sarvesh Kumar from Dhaka Ghanshyam Branch, Gopal Krishan from Rajanpur Branch Chhotelal from Tilahar Manoharlal from Banda without complying with the aforesaid procedure and provisions laid down in paragraph 522 (6) of the Sastry Award which continued to be

operative and force in 1994 and therefore, were binding on the management, and so, the action of the management in terminating the services of workman was illegal.

As regards paragraph 524 (1) and 524 (4) of the Sastry award which also were not complied with by the management while terminating the services of workman from 30-9-1994 these provided as follow :—

“524 (1)—Temporary employees who are engaged for indefinite periods shall be entitled to one months pay and allowances, When however, temporary employees are engaged for definite period which have been mentioned in their appointment letter no compensation will be payable.

524 (2) * * * *

524 (3) * * * *

524 (4) These payments will be in addition to such pay and allowances as may be due in lieu of previous notice of termination where such notice is not given.”

It is submitted that in the case of the workman, his appointment was not made for any definite period and in fact, the vacancy in which he was appointed from 09-11-1992 at Khuttar Branch under bank's Regional Office, Shahjahanpur permanent vacancy and no letter specifying the period of his appointment was given to him at any stage of his employment at this branch. Therefore, the termination of his services, without complying with the provisions of paragraphs 524 (1) and 524 (4) of the Sastry award was rendered illegal.

It may be stated that after the nationalization of the bank the provisions of the sastry and Desai Award as well as of the BPS dated 19-10-1966 had acquired statutory character and the same had, therefore, to be strictly construed and complied with by the management in determining the employment of the workman. Needless to say that these provision were even otherwise binding on the management because of having statutory sanction under the Industrial Disputes Act.

That in the facts and circumstances of the case as brought out under paragraph 2 and in view of the grounds pleaded under paragraph 3 herein before the action of the management bank in terminating the services of the workman 30-09-1994, instead of continuing and confirming his as permanent peon, for which he was qualified and eligible and had become entitled by virtue of long and satisfactory service in a permanent post/Vacancy of peon at Khuttar Branch with his appointment being approved by the regional office was unjust and illegal and it is therefore, prayed that the Hon'ble Tribunal may be pleased to make

an award setting aside the termination of his services with a direction for his reinstatement as a permanent peon from appropriate date with continuity of service, full back wages and other benefits/privileges of service and with such other relief as the Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case, it is also prayed that the Hon'ble Tribunal may also be pleased to award suitable costs of the case to the workman.

The Management has written statement, In the written statement it has been stated that the Branches are headed by Branch Managers, Regional Offices by Regional Managers, Zonal Officers by Zonal Managers and at the head office or central office there are General Managers. The Branch Managers report to Regional Managers to Regional Managers to Zonal Managers and Zonal Managers report to General Managers at the central or head office which exercises overall superintendence and takes general policy decisions within the parameters of Governments policy decisions, guidelines and directives vis-a-vis statutory provisions, rules and regulation for regulating employer-employee relations and their respective rights and obligations.

Broadly all employees in the bank are classified into two main categories or cadres and these are (a) “Non-workman” i.e. managers, officers and supervisors and (b) “workman” also called “Award Staff” within the meaning of the term defined u/s 2(s) of the ID Act, 1947 (briefly, ID Act.) The workmen or the award staff are also classified into (i) clerks and (ii) sub-staff i.e. Class IV Staff such as peons, sweepers, farashers etc.

It may be stated with relevance that recruitment and selection of persons for appointment as clerks on substantive basis against identified permanent posts or vacancies within the cadre strength is made through Banking Service Recruitment Board. The selected persons are given appointment by the bank. The new appointees are, in the first instance, placed on probation and after they successfully complete the probationary period they are confirmed by the appointing or any other competent authority by an order passed in writing to that effect. The regional managers are appointing authority in the cases of clerks.

In the case of recruitment of sub-staff or class-IV employees the bank, being an establishment in Public Sector, notified all substantive vacancies to employment exchange in compliance of provisions of employment exchange Act, save and to the extent exemption is granted by the Government's appropriate authorities or the DGET. The candidates who are sponsored by the Employment exchange (s) are interviewed by the bank's own selection committee and those candidates who are eligible and are adjudged suitable, are appointed and confirmed in the same manner as the clerks. Sub-staff is also appointed by regional

managers with the concurrence and approval of Zonal Managers. It may also be stated here with pertinence in passing that the identified permanent strength in clerical and sub-staff cadre is determined by the management of the bank from time to time on considerations such as size of the branch or office and volume of work etc.

Besides employing workman on permanent posts/basis as stated in the preceding para, the bank herein, like any other employer be it the Central or any State Government or in the rated workers on ad hoc casual temporary basis for coping with passing necessity or contingency e.g. contemplated recruitment process has not been initiated or having been initiated has not been completed within the stipulated period, or the newly appointed person has sought extension of time to join bank's service at the branch or office of his posting, or an existing permanent employees has gone on leave of absence or has not joined his duties on the expiry of leave originally granted or subsequently extended, or a seasonal necessity has arisen, or on account of such other contingency. The workman herein, was, and has been engaged as a daily rated worker pending recruitment and appointment of newly selected candidates in the circumstances mentioned hereinafter at appropriate place.

Apart from two All India Industrial Tribunal (Bank Disputes) Awards, popularly known as "Sastri Award" and "Desai Award" there are All India Bipartite Settlements which have been arrived at between the management of entire banking industry in the country and their workmen through their respective unions or associations. These awards and settlements regulate employer-employee relations, their respective rights and obligations and the terms and conditions of service of those workman who have been recruited in the bank as per procedure pointed out hereinabove on substantive basis and have been confirmed in the bank's service, those awards and settlement are not applicable to daily rated ad hoc casual workers like the workman herein.

The Hon'ble Tribunal will appreciate that it is well established law that daily rated ad hoc casual temporary workers who an employer has engaged or employed in distress such as pending recruitment, selection, appointment and posting of a regular appointee as in the instant case, no indefeasible right can be held to have accrued for such workers to claim even continued engagement or employment, let alone claim for confirmation on the post and they have to move out on the joining of regular appointee. It is submitted that the workman herein is virtually seeking what is called "Back Door" entry in the bank's service and since the Hon'ble Supreme Court has in a number of pronouncements disapproved and invalidated such entries in public sector undertakings, being in gross violation of mandate of Articles 14 and 16 of the Constitution, this Tribunal would

also in its wisdom not allow the workman to succeed in his designs or attempt.

The problem of providing regular employment to those daily rated workers who had worked as peons in public sector banks between 01-01-1982 and 31-12-1989 but could not be employed on regular basis due to restrictions imposed by the government on further recruitment of people against substantive posts or vacancies in public sector banks, had been engaging the attention of the government for quite some time past. Thus it was with a view to deal with that problem and to ameliorate the hardships of those unemployed persons that the government of India, after consideration of all relevant facts and in consultation with the Ministry of Labour, worked out a scheme to deal with that problem. The said scheme as confined in what is called as the "approach paper" along with necessary guidelines to give effect to the scheme was circulated to all public sector banks, including the bank herein. A copy of the aforesaid scheme/approach paper along with government's directives is Annexure-1.

In furtherance of government's above mentioned scheme/policy decision and directives, the management of the bank issued a circular letter dated 17-08-1991 to all its branches and offices advising them to abide by the instructions contained therein. A copy of the bank's above letter is appended herewith with relevance as Annexure-2.

In furtherance compliance of government's scheme, the bank issued an advertisement in Hindi and English national dailies a copy of which is also appended herewith as Annexure-3 for kind perusal of this Hon'ble Tribunal with the explanation that in place of 31-12-1989 as the cut off date which the government had prescribed in the scheme, 31-12-1990 was mistakenly notified as the cut off date in the bank's advertisement.

It is stated here with relevance in passing for kind information of the Hon'ble Tribunal that in spite of government and the bank giving opportunity the workman herein did not chose to avail the same for competing in the recruitment process for being considered for absorption on regular basis in the bank's service as a peon against future vacancies as was envisaged in government's scheme/policy decision.

Since the process of recruitment, selection and appointment of persons under government's scheme and subsequent to bank's advertisement was already in progress in 1992 and since its completion was likely to be a long drawn process in view of very large number of applications the bank had received in response to its advertisement therefore the management of the bank preferred to engage the workman again as an ad hoc daily rated worker in 1992 pending appointment of regular appointee. The management preferred to engage the workman as he had worked earlier also in 1985 and 1986 as such in the same branch and in so engaging the workman

the management adhered to the mandate of law that one ad hoc worker should not be replaced by another ad hoc worker on the same job.

There is no denying the fact that at all material times the workman worked in Khuttar Branch of the Bank under its Shahjahanpur Regional Office. There is also no denying the fact that he worked in the said branch in the year 1985, 1986, 1992, 1993 and 1994 for the number of days the details of which are given below :—

Year	Worked between	No. of days
1985	08-05-85 to 24-12-85	39 days
1986	02-01-86 to 18-10-86	156 days
1992	14-11-92 to 26-12-92	46 days
1993	01-01-93 to 31-12-93	205 days
1994	01-01-94 to 30-09-94	

There is also no denying the fact that since he was engaged as a daily rated worker on ad hoc casual basis, and not as a muster roll regular employee, therefore, he was paid for the days he worked through the cash payment vouchers which are being filed for the relevant period, 30-09-94 and backward for 12 calendar months. There is also no denying the fact that on Shri Hari Kishan, an applicant who had competed in the recruitment process and had been duly regularized under the government's scheme, joining service in the bank's Khuttar Branch that the services of the workman were dispensed with. There is also no denying the fact that on dispensation of his services on the ground and basis as mentioned above, that the workman initiated proceedings under ID Act by way of invoking the jurisdiction of conciliation officer. It is however submitted that the workman initiated those proceedings either under erroneous advice or with malafide intentions of seeking entry in bank's service through 'back door' which this Hon'ble Tribunal would not allow in view of the Hon'ble Supreme Court's pronouncements in a number of reports. The workman's submission that he was appointed or held an appointment in the bank on substantive basis or be deemed to have been appointed or held appointment merely because he worked on substantive vacant post, are based on gross ignorances of law and hence his above submission and assumption is wrong and not admitted. It is stated that he was never appointed on substantive basis nor can be deemed to have held such an appointment, much less a valid appointment, as he never competed in recruitment process envisaged under provisions of law or establishment procedure in public sector undertakings. The applicant did not compete in the recruitment process under government's scheme as he did not fulfill the prescribed eligible norms and thereafter he was engaged on ad hoc basis as daily wage pending recruitment and appointment of regular selectees for the reason already stated. It is denied that the workman was required to produce his testimonials as is alleged by him. It

is submitted that testimonials are required to be submitted and their verification is done only in cases of those employees who are employed on substantive basis. The workman cannot be deemed to have been appointed on substantive basis or held such an appointment as he was never employed on probation, did not complete any probationary period. Workman's averments in sub-paras (f) and (g) of para 2 are irrelevant for the determination of terms of reference hence need no explanation or rejoinder.

The workman's contention in sub para (A) to (Z) of Para 3 of his SOC are based on gross legal misconceptions or ignorances of law and hence wrong and not admitted on the following amongst other grounds.

- (i) because his reliance on awards and settlements in based on ignorance of law in that those awards and settlements are not applicable to ad hoc workers but apply only to confirmed employees.
- (ii) Because of by virtue of his deployment as a daily rated ad hoc casual worker the workman had no vested right of employment, much less continued employment in the service of the bank;
- (iii) Because the workman's services were discontinued when a duly recruited and validly appointed person on substantive basis joined.
- (iv) because the workman had not earned the eligibility for benefit u/s. 25F of the ID Act.
- (v) because on workman's own showing and admissions he was not eligible to protection under the provisions of awards and settlements relied upon him as he did not hold any such employment.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

It transpires from perusal of the order sheet that the workman was not present on 02-03-2005. On 02-05-2005 the workman was not present. The management was present. On 28-07-2005 the workman was not present. Cross of the workman was closed on 24-08-2005. The cross of the workman was closed on previous date. The management was heard.

It was submitted from the side of the management that the workman has not been available in cross examination on several dates as such his affidavit will not be read in evidence. The workman has not completed 240 days in any of the year so Section 25 of the ID Act is not

applicable. The law cited by the workman is also not applicable. The workman has failed to prove his claim statement.

The reference is replied thus :—

The action of the management of Bank of Baroda, Regional Office, Shahjahanpur in terminating the services of Shri Ramesh Chand, Peon w.e.f. 30-09-1994 is just and legal. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Dated : 19-09-2005

R. N. RAI, Presiding Officer

नई दिल्ली, 22 सितम्बर, 2005

का. आ. 3785.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 101/1994) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/142/94-आईआर (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 22nd September, 2005

S.O. 3785.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 101/94) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 21-09-2005.

[No. L-12012/142/94-IR (B-II)]

C. GANGADHARAN, Under Secy

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT 1, CHANDIGARH**

Case No. LD. 101/94

Shri Baljit Singh
son of Dalip Singh,
Village Santa Majra
District Ropar (Punjab)

.....Applicant

Versus

Assistant General Manager,Respondent
Punjab National Bank,
Sector-17, Chandigarh.

Appearances :

For the workman : Shri J.C. Sharma Advocate

For the management : Shri Ashok Kumar

AWARD

Passed on 8-9-2005

Central Govt. vide notification No. L-12012/142/94-IR (B.II) dated 24-08-1994 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Punjab National Bank, Chandigarh in terminating the services of Shri Baljit Singh, Peon w.e.f. 25-4-1993 is justified? If not, what relief is the said workman entitled to?”

2. Workman in his claim statement submitted that he was appointed as peon on 25-4-1991 and remained there working as peon till 25-4-1993. On 25-4-93 he was not allowed to join and his services were terminated. The workman has completed three years service without any break, the salary of the workman was paid by the bank as per the statement. The management has terminated his services without any notice and in violation of the provisions of I.D. Act 1947. No retrenchment compensation was paid. Thus the termination was illegal and in violation of Section 25F, G, H of the I.D. Act. He claim reinstatement with full backwages.

3. Management filed written statement raising preliminary objection that petitioner is not a bank employee and has never been employed by the bank and claim is malafide and false. The workman has not submitted any documentary evidence in support of his claim statement not tendered any documentary proof pertaining to his employment. The management further on merits stated that workman was never appointed by the bank, therefore, question of termination of service does not arise. No appointment letter was given. The bank never made appointment of the workman and there is no agreement between the workman and the management. It is further submitted that petitioner never marked his attendance in attendance register. The workman was never paid salary from the bank. However the workman was engaged as a casual labour and his services were utilised purely as casual labour on the dates as per annexure. I. When the work came to an end, the engagement of petitioner came to automatic end. Even otherwise workman worked for 69 days in the year 1991, 122 days in 1992 and 56 days in 1993. Hence in none of the 12 consecutive calander months

workman tendered 240 days of continuous service, hence he is not entitled to the benefits u/s, 25(F)(G) and (H) of the I.D. Act.

4. Workman filed replication wherein he denied the averments made in the written statement and reaffirm the averments made in the claim statement.

5. In evidence workman filed his affidavit Ex. W1. He also filed documents which are photocopies of cash vouchers six in numbers which are Ex. W3 to W11. Management filed affidavit of Dalbir Singh as M1.

6. Final arguments heard. Workman as well as the management filed written arguments. It is submitted that workman was employed by the bank in 1991 and remained upto 1993. The onus of proving that the workman was not in continuous service from 1991 to 1993 was upon the management as they are in possession of the register on which the presence of workman was marked which they have not produced and as such they have failed to perform their part. It is further submitted that the bank has not taken one stand and taken different stand in their written statement that the applicant was never employed by the bank and admitted that applicant was working as a casual labourer. The petitioner categorically submitted that he was working continuously from 29-4-91 to 25-4-1993. The list of payment attached with the written statement shows that he worked upto 3-8-93. Thus the petitioner worked from 3-4-91 to 3-8-93. The applicant is entitled to all the benefits of retrenchment and also reinstatement even if the workman have not completed even 240 days. He has not been paid retrenchment compensation and no notice was also given. It is submitted that workman has proved his case and therefore, the reference may be answered in favour of the workman and against the management.

7. On the other hand in written arguments on behalf of the management it is submitted that workman has alleged as per claim statement that he was appointed as peon on 25-4-1991 and he worked till 25-4-93 when his services were illegally terminated. It is submitted that Baljit Singh was never appointed in any capacity and no appointment letter was ever issued to him. He was engaged for casual work and worked for 69 days in the year 1991, 120 days in 1992 and 56 days in the year 1993. Workman was engaged for specific period and his disengagement did not constitute retrenchment and even otherwise he had not been engaged for 240 days during any twelve consecutive months and there is no violation of Section 25 F, G and H of the I.D. Act 1947. The management witness Dalbir Singh in his affidavit categorically deposed that workman was never appointed by the bank and he was engaged as a casual labourer for the dates as mentioned. Baljit Singh was never paid salary by the bank and engagement of the workman used to come to an end automatically after the completion of the casual work for which he was engaged. Baljit Singh filed his affidavit and in cross-examination deposed that "it is correct to say that I have worked for only 69 days in the year 1991, 122 days in 1992 and only 56 days in 1993". From the above deposition, it is clear that in three years

workman worked for 69 days, 120 days and 56 days in each year and workman also admitted in his cross-examination that he never marked his attendance.

8. If the workman never marked his attendance in any record of the bank, there was no question of having any record regarding payment of salary etc. to the workman by the bank and it is the duty of the workman to prove that he worked for 240 days in a calendar year precedings to the date of his termination. The management has referred [JT 2002(2) S.C. 238] a judgment of the Hon'ble Supreme Court in the case of Range Forest Officer Vs. S. T. Hadimani. The Hon'ble Supreme Court has held as under :

"In our opinion, the tribunal was not right in placing the onus on the management without first determining on the basis of cogent evidence that the respondent had worked for more than 240 days in the year preceding his termination. It was the case of the claimant that he had so worked but his claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact, worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that can not be regarded as conclusion that a workman had, in fact, worked for 240 days in a year."

9. Management further submitted that termination of service of workman is not retrenchment. The management has placed reliance on SLR 1997 (76) S.C. 237 Himanshu Kumar Vidyarthi Vs. State of Bihar in the which the Hon'ble Supreme Court has held as under :

"Admittedly, they were not appointed to the posts in accordance with the rules but were engaged on the basis of need of the work. They are temporary employees working on daily wages. Under these circumstances, their disengagement from service can not be construed to be a retrenchment under the I.D. Act. The concept of "retrenchment", therefore, can not be stretched to such an extent as to cover these employees. Since they are only daily wage employees and have no right to the posts, their disengagement is not arbitrary."

10. It is while concluding in written arguments submitted by the bank that action of disengagement of Baljit Singh as a casual labourer can not be termed as illegal or unjustified and accordingly it is prayed that action of bank in disengaging the workman was legal and justified and workman is not entitled to any relief.

11. In view of the written arguments of both the parties and oral submissions advanced by the parties the case of the workman in brief is that workman was employed by the bank in the year 1991 and remained in service up to the year 1993 and worked continuously from 29-4-1991 to 25-4-1993. The onus of proving that the workman was not in continuous service from 1991 to 1993 was upon the management as they are in possession of the register on which the presence of workman was marked which they have not produced and as such they have failed to perform their part. Secondly workman has taken a plea that list of payment attached with the written statement shows that the petitioner has worked up to 3-8-93. Thus the petitioner

continued from 3-4-91 to 3-8-93 and as per the judgement of Hon'ble Gujarat High Court, he is entitled to all the benefits as he has completed 240 days of service which judgement is based on the judgement of the Hon'ble Supreme Court, he is also entitled for retrenchment compensation.

12. On the other hand the case of the management is that the workman has not completed 240 days and hence is not entitled to reinstatement as he was engaged for casual work it is submitted the Baljit Singh was never appointed in any capacity and no appointment letter was ever issued to him. He was engaged for casual work and worked for 69 days in the year 1991, 120 days in 1992 and 56 days in the year 1993. Workman was engaged for specific period and his disengagement did not constitute retrenchment and even otherwise he had not been engaged for 240 days during any twelve consecutive months and there is no violation of Section 25 F, G and H of the I.D. Act 1947. It is also stated so by MW1 that workman was engaged as casual labour as mentioned in Annexure I. Further the workman himself has admitted this fact in his oral evidence on oath in court. The management has referred [JT 2002(2) S.C. 238] a judgement of the Hon'ble Supreme Court in the case of Range Forest Officer Vs. S.T. Hadimani. The Hon'ble Supreme Court has held that respondent had not worked for 240 days and it was held by the Hon'ble Supreme Court that since it was a claim of the workman that he had worked for 240 days and it was the duty of the claimant to lead evidence to shown that he had in fact, worked for 240 days in the year preceding his termination. Filling of an affidavit is only his own statement in his favour and that can not be regarded as conclusion that a workman had, in fact, worked for 240 days in a year. The workman has taken another plea for not proving that he had completed 240 days by his own evidence other than his affidavit and as per him onus of proving that the workman was not in continuous service was upon the management as the bank was in possession of the attendance record of the workman and as they have not produced the record therefore, the workman is not to prove that he has served the bank continuously for 240 days or more.

13. I have found that in view of the above arguments and my perusal of statement on oath of the workman where in workman has deposed that he was not given any appointment letter by the bank. No interview was held. Ex. W2 is the statement from the bank. Ex. W3 to W11 are the similar documents of the bank. He was not engaged by the bank after 25-4-1993. It is correct to say. Thus he had worked only for 69 days in the year 1991, 122 days in the year 1992 and only for 56 days in the year 1993. He never marked his attendance in any record of the bank. Bank never paid. Hence when he admitted in his statement on oath in Court that he never marked his attendance in any record of the bank, it is needless to produce attendance record which is maintained by the bank, because as per his admission that he never marked his attendance in any record, there is no such record of the attendance of the workman with the bank. He further admitted that bank never

paid any provident fund, bonus, increment and he was not given any uniform. He was paid by the bank Rs. 750/- through vouchers but on record there is no voucher of Rs.750/-.

14. From the above record and statement on oath made by the workman to prove his claim by his evidence, it is quite clear that he never completed 240 days during any year and his contention that he worked continuously from 25-4-1991 to 25-4-1993 is not proved. It is also not proved that he worked more than 240 days in a calendar year at all or in a year preceding to the date of alleged termination.

15. Further more workman was paid through vouchers his salary as claimed by him as Rs. 750/-. There is no such voucher on record. From the payment record it is also proved that workman has worked in all three years but as averred by the management and as admitted by the workman in his statement on oath in the Court as 69 days in 1991, 122 days in 1992 and only 56 days in 1993 and in none of the year he has worked for 240 days.

16. Further the management relied on a judgement [JT 2002(2) S.C. 238] a judgment of the Hon'ble Supreme Court in the case of range Forest Officer Vs. S.T. Hadimani. wherein it is held that burden of proof lies on the workman who alleged that he has worked for more than 240 days in calendar year. The management also referred SLR 1997 (76) S.C. 237 Himanshu Kumar Vidyarthi Vs. State of Bihar in the which the Hon'ble Supreme Court has held as under:

"Admittedly, they were not appointed to the posts in accordance with the rules but were engaged on the basis of need of the work. They are temporary employees working on daily wages. Under these circumstances, their disengagement from service can not be construed to be a retrenchment under the I.D. Act. The concept of "retrenchment" therefore, can not be stretched to such an extent as to cover these employees. Since they are only daily wage employees and have no right to the posts, their disengagement is not arbitrary."

17. The management also has submitted in arguments that non renewal of contract between the employer and the employee concerned on its expiry or such contract being terminated under a stipulation in that behalf that of disengagement of Baljit Singh as casual labour does not constitute retrenchment as defined under the I.D. Act 1947 and provisions of Section 25F, G, H of I.D. Act are not attracted.

18. Therefore in view of my above discussion and perusal of oral evidence of both parties and law referred by them admittedly the workman was not appointed to the post in accordance with the procedure as no appointment letter was given, no interview was held. Further as admitted by the workman in his evidence on oath in court he worked only for 69 days, 122 days and 56 days in each year who proves that he worked intermittently for short periods in each year on need basis, workman has also not proved that he worked for 240 days in any year. Under these circumstances, the disengagement of the workman from

service can not be constituted as retrenchment. I fully agree with the contention of the management in view of the Law referred judgment of the Hon'ble Supreme Court in Himanshu Kumar Vidarthi case (supra) and hold that the workman neither was retrenched nor workman has completed 240 days and that he was engaged on purely temporary basis on need basis. There is no violation of provisions of Section 25F, G or H of the I.D. Act.

19. In view of the above as I have held that workman has not completed 240 days in any calendar year at all and he did not work continuously from 1991 to 1993. He was engaged temporarily on need basis and in all these three years he has not completed 240 days in any calendar year. I am of the considered view that action of the management of Punjab National Bank, Chandigarh in terminating the services of Shri Baljit Singh, Peon w.e.f. 25-4-1993 is justified and as a result the workman is not entitled to any relief. The reference is answered accordingly. Central Govt. be informed.

Chandigarh
8-9-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 22 सितम्बर, 2005

का. आ. 3786.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबंधन के संबंध में निम्नलिखित निर्णयों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय (संदर्भ संख्या 13/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/23/2005-आई.आर. (बी-II)]
सी. गंगाधरन, अवर सचिव

New Delhi, the 22nd September, 2005

S.O. 3786.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 13/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the management of Central Bank of India and their workman, received by the Central Government on 21-09-2005.

[No. L-12012/23/2005-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT :

Shrikant Shukla, Presiding Officer

I.D. NO. 13/2005

Ref. No. L-12012/23/2005-IR(B-II) dated : 21-4-2005

BETWEEN :

The Regional President
Central Bank Employees' Association
958, Kalyani Devi
Allahabad
(In the matter of Shri Om Prakash)

AND

The Regional Manager
Central Bank of India
Regional Office, Lanka
Varanasi (U.P.)-221001

AWARD

The Government of India, Ministry of Labour vide their order No. L-12012/23/2005-IR(B-II) dated 21-4-2005 has referred the following dispute for adjudication to the Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Lucknow for adjudication :—

"Whether the action of the management of Central Bank of India, Zero Road, Allahabad Branch in terminating the services of Shri Om Prakash, Ex-Peon/Canteen Boy w.e.f. 22-7-2004 is legal and justified? If not, to what relief the concerned workman is entitled?"

The Government of India, Ministry of Labour endorsed the copy of reference to the Regional President, Central Bank Employees' Association, 958, Kalyani Devi, Allahabad. Order of reference is received in this office on 10-5-2005, but the worker did not file its statement of claim. This court waited for statement of claim 17-6-2005 and when no statement of claim received an order was passed to send notice to the worker/trade union by registered post to file statement of claim together with relevant documents and list of witnesses with an advance copy to the opposite party by 15-7-2005. The registered notice was issued on 20-6-2005 and the registered article was not received back and therefore it was believed that the trade union was sufficiently served.

Thereafter, registered notice was issued to Regional Manager, Central Bank of India, Regional Office, Lanka, Varanasi and 2-9-2005 was fixed for written statement. The authorised representative of the bank appeared on 2-9-2005 and filed his authority letter but did not file any written statement.

The worker of the trade union has not filed its pleading that he was ex-peon/canteen boy in Central Bank of India, Zero Road, Allahabad and he has also not pleaded that he was terminated on 22-7-2004. It was duty of the trade union to plead the aforesaid facts and prove it. Since trade union has not filed the statement of claim to challenged the so-called termination w.e.f. 22-7-2004, therefore, there is no option left than to pass no claim award. Award passed accordingly.

Lucknow

9-9-2005

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 22 सितम्बर, 2005

का. अ. 3787.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध निम्नोक्तों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय - II नई दिल्ली के पंचाट (संदर्भ संख्या आई डी.-14/2002 को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/385/2001-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 22nd September, 2005

S.O. 3787.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID. No. 14/2002) of the Central Government Industrial Tribunal/Labour Court, II New Delhi now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which received by the Central Government on 21-09-2005.

[No. L-12012/385/2001-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM
LABOUR COURT-II, RAJENDRA BHAWAN,
GROUND FLOOR, RAJENDRA PLACE, NEW DELHI**

R.N. RAI : Presiding Officer

I.D. No. 14/2002

IN THE MATTER OF :-

Shri Arnesh Kumar,
Balmiki Mohalla,
Main Bazar, Loni,
Ghaziabad (UP)

Versus

The Dy. General Manager,
State Bank of India,
Region-I, Zonal Office,
Garh Road, Meerut (UP).

AWARD

The Ministry of Labour by its letter No. L-12012/385/2001-IR (B-I)) Central Government Dt. 27-02-2002 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the action of the State Bank of India, Meerut dismissing the services of Shri Arnesh Kumar

w.e.f. 26-05-2000 is justified? If not, what relief he is entitled to?”

The workman applicant has filed statement of claim. In the statement of claim it has been stated that the workman was a permanent Sweeper at State Bank of India, Loni (Ghaziabad) and had put in 13 years service in the Bank. That the sister-in-law (wife of Younger brother Ravi Kumar) of the workman committed suicide on 16-07-1997. That the workman along with his wife Mrs. Anita and Brother Ravi Kumar were falsely implicated in a dowry murder case. That the workman was arrested in this case on 19-07-1997 on the basis of the FIR filed by the father of the girl. The workman was later on released on bail on 18-12-1997. The management placed the workman under suspension with effect from 19-07-1997. That the workman was reinstated by the Bank vide order dated 06-02-1999. That the Addl. Session Judge, Ghaziabad punished the workman along with others under Section 304/34B IPC and 3/4 D.P. Act and awarded 10 years rigorous imprisonment, vide his order dated 08-10-1999.

That the Asstt. General Manager, Region-II, State Bank of India, Zonal Office, Meerut issued a show cause notice to the workman vide his letter dated 27-03-2000, tentatively deciding to terminate the services of the workman. That the workman submitted reply to the above notices vide his letter dated 10-04-2000, the copy of which is reproduced as under :—

“I am in receipt of your letter No. 298 dated 27-03-2000 and shocked to note the contents thereof. You have tentatively decided to terminate my services from the date of the order of the Court and you have also granted me personal hearing on 17-04-2000 against the proposed decision. In this connection, I have to submit that I have to collect certain information and papers from my Lawyer in Allahabad which would be presented by me in the personal hearing. I have also to consult my Union in the matter.

I, therefore, request you Sir, to grant me an extension of one month period for personal hearing so that I may be able to prepare my defence and place before you for your judicious and sympathetic consideration. I hope you will grant me extension of time.”

That the workman in the meanwhile fell sick and requested the Asstt. General Manager, Region-II, SBI, Zonal Office, Meerut to fix the date of personal hearing in the first week of June, 2000, the copy of the said letter is reproduced as under:—

“you have fixed personal hearing in the above case on 13.05.2000. In this connection I have to advise that I have fallen sick and under treatment at Prathmik Swasthya Kendra, Loni, Distt: Ghaziabad. I am enclosing herewith copy of their treatment Slip No. 10448 and medical certificate issued by Medical Officer, Prathmik Swasthya

Kendra, Loni (Ghaziabad) who has advised me rest upto 25-05-2000.

In the circumstances, I request you Sir, to fix the personal hearing in the above case in the first week of June, 2000."

That the workman had already made an appeal against the above order of the Addl. Session Judge, Ghaziabad and the Hon'ble High Court stayed the operation of the judgement and order of the Appellate Court vide order dated 19-05-2000.

That the said fact was immediately communicated to the management, but the management did not take a cognizance of the High Court order and terminated the services of the workman by way of dismissal vide order dated 26-05-2000, without hearing the workman. The workman immediately on receipt of the dismissal orders submitted his representation to the Asstt. General Manager, Region-II, SBI, Zonal Office, Meerut vide his letter dated 5th June, 2000, the copy of which is reproduced as under:—

"I am in receipt of your letter No.22 dated 26-05-2000 and shocked to note that you have terminated my services without grant of personal hearing to me. I also sent you a letter dated 8th May, 2000 by Regd. Post to grant me extension for personal hearing as I was sick. The medical certificate was also enclosed therewith but neither you considered my valid request nor you advised me having rejected my request for extension of time. In the mean time I got the stay order from the Hon'ble High Court of Allahabad against the operation of the judgement and order of the Appellate Court passed by XII Addl. Session Judge, Ghaziabad in S.T. No. 1139 of 1998. Copy of the said judgement was also sent to you vide my letter dated 29-05-2000.

In view of the High Court orders dated 19-05-2000 referred to above, my termination is illegal and against the provisions of the law. Your order was received by me after I had sent you the copy of the order of the High Court. I hereby request you Sir, to revoke your orders to terminate my services in view of the High Court orders referred to above and permit me to join duty immediately."

That Allahabad High Court vide its order dated 19-05-2000 stayed the operation of the judgement and order of the Appellate Court passed by XII Additional Session Judge, Ghaziabad. In view of the stay by the Hon'ble High Court the order of punishment and conviction should be deemed as non-existent. In the circumstances the action of the management to dismiss the workman was illegal and malafide. That the workman made several representations to the management to reinstate him but with no response from the management.

That having failed to receive justice from the management the workman was left with no alternative but to raise an Industrial Dispute before the ALC@, Dehradun.

The management did not agree to the suggestion of the Assistant Labour Commissioner to reinstate the workman and as such the conciliation proceedings ended in failure and the Government of India referred the said dispute before your honour for adjudication vide their notification No.-1-12012/385/2001—IR (-I)—dated 27-02-2002 with the following schedule.

"Whether the action of the State Bank of India, Meerut dismissing the services of Shri Amesh Kumar w.e.f. 26-05-2000 is justified? If not what relief he is entitled to?"

That in view of the facts stated above the action of the management is illegal, malafide, unjustified and amounts to unfair labour practice and victimization. That the workman belongs to scheduled class and has no source of income. The management discriminated and very harshly treated him.

The management has filed written statement. In the written statement it has been stated that the workman Shri Armesh Kumar was a sweeper at the Loni Branch, Ghaziabad, UP of the management Bank. The workman along with his wife Mrs. Anita and Brother Mr. Ravi Kumar was arrested by the Police in connection with his involvement in the murder of his sister-in-law on 16-07-1997. The allegation against the workman and other co-accused related to offence under section 304-B/34 of IPC and under section 3 and 4 of the Dowry prohibition Act.

That pursuant to the above, the workman was sent to Jail on 19-07-1997 and thereafter he was placed under suspension by the management bank on the grounds of moral turpitude. That the workman was released on bail on 18-12-1997. The accused/workman remained under suspension and in January, 1999, the Branch reviewed his case and the accused workman was reinstated in bank service w.e.f. 08-02-1999.

That however, during this period the 12th Additional Sessions Judge, Ghaziabad in his final decision on 08-10-1999 awarded the punishment of 10 years rigorous imprisonment and fines of Rs. 5,000/- and Rs. 1000/- on various counts to the accused/workman.

That pursuant thereto, the workman was dismissed after giving him a show cause notice and providing opportunity for personal hearing, from the service of the bank on 26-05-2000. This action of the management bank was in accordance with the service conditions contained in the BPS and Sastri Award. The said action was also in consonance with the Section 10(1) (b)(i) of the Banking Regulations Act which prohibits employment of a person convicted by a competent criminal court.

That the accused/workman had preferred an appeal against the order of the learned Additional Sessions Judge before the Allahabad High Court and had obtained stay orders from the Hon'ble High Court against the judgement

of the learned Additional Sessions Judge. The accused/workman thereafter applied to the bank for reinstatement in service in view of the fact that the judgement of the learned Additional Sessions Judge has been stayed by the Hon'ble High Court.

That it is the submission of the management bank that by obtaining of the stay orders, against the orders passed by the learned Additional Sessions Judge the workman cannot get an automatic right of absorption with the management bank. It is settled law that the conviction of an accused remains until and unless it is set aside by a competent court. Mere grant of stay would not entitle the workman to be reinstated in service. In this light the submission of the management is as under :

That the statement of claim has been filed against the Assistant General Manager, SBI, Regional II, Zonal Office, Meerut. It is respectfully submitted that the SBI is a legal entity which can sue and be sued in its own name and as such the claim statement is bad for non joinder and misjoinder of necessary and proper parties. The claim may be dismissed as such.

It is wrong and denied for want of knowledge whether the workman and his wife and the brother were falsely implicated as made out in this paragraph. It is matter of record that the workman has been convicted by the court of 12th Additional Sessions Judge vide its judgement dated 08-10-1999.

It is matter of fact that the workman along with others was convicted of the offence u/s 304-B/34 of IPC and under section 3 and 4 of Dowry Prohibition Act vide order dated 08-10-1999 passed by the learned Additional Sessions Judge. The workman was also imposed fine.

It is submitted that it was stated in the letter that the terms and conditions contained in section 10(1)(b)(i) of the Banking Regulations Act read with para 521 (2)(b) of the Sastri Award, the workman cannot be continued in the employment of the management bank as he was convicted by a competent criminal court. It was also conveyed to the workman that the decision to discharge him from services was taken in accordance with the para 18.28 of the Desai Award read with para 521(5) (ka) of the Sastri Award and para 1.1 of the agreement dated 31-03-1997 between the bank and the All India SBI Staff Federation.

It is submitted that the letter dated 10-04-2000 was received. The personal hearing as requested for by the workman was given to him and an opportunity of personal hearing was given to him by the Assistant General Manager on 13-05-2000. It is submitted that the management had written a letter dated 26-05-2000 to the workman conveying their disagreement with the reasons for his non appearance for personal hearing. It was presumed that the workman was not interested in personal hearing had accordingly he was dismissed without notice in accordance with Section

10(1)(b)(i) of the Banking Regulations Act read with para 521(2)(b) of the Sastri Award. It was also conveyed to the workman that the decision to discharge him from services was taken in accordance with the para 18.28 of the Desai Award read with para 521(5)(ka) of the Sastri Award and para 1.1 of the agreement dated 31-03-1997 between the bank and the All India SBI Staff Federation. Hence the dismissal of the workman was in accordance with the statutory conditions applicable to him and therefore, the action of the management bank is perfect, just, proper, bonafide and legal.

However it is matter of fact that the appeal filed by the workman against the orders of the learned Additional Sessions Judge was challenged before the Hon'ble Allahabad High Court and the Hon'ble High Court had stayed the operation of the orders passed by the Ld. Additional Sessions Judge. However it is submitted that the stay order of the Hon'ble Allahabad High Court dated 19-05-2000 had no effect upon the dismissal of the workman because his conviction for the offences could not be treated to have been set aside by the stay order passed by the Hon'ble Allahabad High Court. The workman was informed vide letter dated 24-07-2000. It was also stated that the order of the Hon'ble High Court did not have any effect upon the order of his dismissal passed in accordance with the statutory terms and conditions. It is respectfully submitted that if any appeal or revision is filed against the conviction, and a stay is granted, the conviction still remains. It is only a sentence or an order in consequence of such conviction which is suspended. The conviction remains effective and it can be made the basis of dismissal of a public servant until and unless such conviction is set aside on appeal or revision. The action of the bank is in accordance with the provisions of BPS as well as the Banking Regulations Act.

It is submitted that the orders of the Hon'ble High Court were fully taken note of by the competent disciplinary authority. The disciplinary authority has acted within the provisions of the BPS as well as the provisions of Banking Regulations Act.

However, it is wrong and denied that the orders of the punishment and conviction are deemed to be non existent. It is respectfully submitted that by mere granting of stay in his favour the workman will not acquire any right to be reinstated in service. The action of the management is perfect, just and legal.

It is respectfully submitted that the action of the management bank is perfectly legal and just and in accordance with the principle of natural justice. The action of the management bank is perfectly legal and just. There is no unfair labour practice or victimization. The action of the bank is in accordance with the provisions of BPS and the Banking Regulations Act.

It is respectfully submitted that there is no discrimination and the workman was treated in accordance with the statutory regulations. The question of his belonging to Scheduled Caste would have no bearing in the facts and circumstances of the case. The workman is trying to raise a frivolous plea of being Scheduled Caste which deserves no consideration of this Hon'ble Court.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and he has stated that he cannot be dismissed under Section 10(1)(b)(i) of the Banking Regulations Act, 1949 read with para 521 (2)(b) of the Sastri Award.

Evidence of both the parties has been taken.

Argument of both the parties was heard.

It was submitted from the side of the workman applicant that doubtless an employee who has been convicted of an offence of moral turpitude can be dismissed under Section 10(1)(b)(i) of the Banking Regulations Act, 1949 read with para 521(2)(b) of Sastri Award provided the operation of the conviction is not stayed by the Hon'ble High Court or sentence is not suspended till disposal of the appeal.

My attention was brought to the judgement of the Hon'ble Delhi High Court. It has been held by the Hon'ble Delhi High Court that in 389 of CRPC when an appeal is filed the Appellate Court is empowered to stay the suspension or the execution of sentence as also the suspension of the order appealed against. When an appeal is filed the Appellate Court is empowered to suspend the order of conviction to stay against the sentence. In case sentence is stayed or conviction is suspended, there is no conviction in the eye of law. It has been held by the Hon'ble Supreme Court in (1996) 12 Fac LR 731 that in case an appeal is admitted and bail is granted there is no final judgement against the appellant. In (1997) 1 SCC 742—the Hon'ble Supreme Court has held that a person who has been convicted and sentenced while in appeal also wants the other evil consequences following his conviction not to visit him as also wipe out the stigma that stick to him, may obtain suspension of the conviction or stay of the sentence whether sentence is stayed or conviction is suspended, it would have the same effect. There is no judgement in the eye of law and there is no judgement, there is no conviction and the management cannot dismiss an employee under Section 10(1)(e)(i) of the Banking Regulations Act, 1949. The Bank may do so in case where conviction is not suspended or sentence is not stayed. The law cited by the management is not applicable in the facts and circumstances of the case. In the instant case operation of the order has been stayed. In case operation of the order is stayed there is no conviction in the eye of law and no action against an employee can be taken under section 10 of the Banking Regulations Act, 1949.

In CCA Rules also it has been provided that prior to passing dismissal order the authority concerned should consider the judgement of conviction. In the instant case the applicant has worked for 13 years in the Bank. His sister-in-law w/o. younger brother committed suicide. He was also involved in the case and he was arrested on 16-7-1997 and he was bailed out on 19-12-1997. The management reinstated him on 6-2-1999. Again he was convicted under Section 304/34B IPC and the 3/4 DP Act. He was dismissed on 26-5-2000 after notice. However, he was not afforded personal hearing. He could not bring to the notice of the officer concerned regarding the order of stay of the operation of judgement. Subsequently he made a representation and prayed for revocation of the order. The officer concerned should have revoked the dismissal order and he should have been taken back in service but the fact that operation of judgement has been stayed was not considered by the officer concerned. The applicant cannot be dismissed while the order of stay against the operation of the judgement subsists. The Bank should have considered the representation of the workman applicant and dismissal order should been revoked and he should be reinstated in service. The law cited by the management is not applicable in the facts and circumstances of the case.

The reference is replied thus :—

The action of the management of State Bank of India, Meerut dismissing the services of Shri Arnesh Kumar w.e.f. 26-5-2000 is not justified. The competent authority who has dismissed the workman is directed to reinstate the applicant in service w.e.f. 26-5-2000.

The award is given accordingly.

Date : 13-9-2005.

R. N. RAI, Presiding Officer

नई दिल्ली, 22 सितम्बर, 2005

का. आ. 3788.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंदौर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय - II, नई दिल्ली जबलपुर के पंचाट (संदर्भ संख्या 50/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-9-2005 को प्राप्त हुआ था।

[सं. एल-12012/152/2001-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 22nd September, 2005

S.O. 3788.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID. No. 50/2001) of the Central Government Industrial Tribunal/Labour

Court, II New Delhi now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 21-9-2005.

[No. L-12012/152/2001-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER : CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT-II,

RAJENDRA BHAWAN, GROUND FLOOR,
RAJENDRA PLACE, NEW DELHI

PRESIDING OFFICER : R.N. RAI

L.D. No. 50/2001

IN THE MATTER OF :-

Shri Lalit, S/o. Shrikishan,
Vill and P.O. Wazirpur,
Distt. Gurgaon
(Haryana)

Versus

The Chief Manager,
State Bank of Indore,
M-94, M-Block,
Connought Circus,
New Delhi-110 001.

AWARD

The Ministry of Labour by its letter No. L-12012/152/2001/IR (B-I)) Central Government Dtd. 30/31-07-2001 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the action of the management of State Bank of Indore, M-94, M-Block, Connought Circus, New Delhi in terminating the services of Shri Lalit, Peon w.e.f. 04-01-2000 is justified? If not, what relief the said workman is entitled.”

The workman applicant has filed claim statement. In his claim statement he has stated that he was employed as a peon on 28-10-1996 at a daily wages of Rs. 60 per day consolidated by State Bank of Indore, the Management. he was posted with the management as such.

That the workman was being paid his wages only on his raising bills for payment as per the advices and directions of the management since the day he was employed/appointed by the management.

That the workman was assured by the management that he would be confirmed on his post as and when there will be any order from the higher authorities, on his post.

That the workman has been working diligently honestly and with full devotion to his work, since the day he was appointed/employed by the management till 31-12-1998.

That more that a period of three years was lapsed, but the workman was not confirmed of his post although all the persons who were appointed on muster roll along with the workman were confirmed. The workman also requested the management on several occasions for his confirmation on the post from time to time, but the management turned a deaf ear to the requests of the workman. That it is made here clear, that the workman has been continuously working since 28-10-1996 till 31st December, 1998, under the supervision, management and control of aforementioned management, when his services were terminated illegally and unlawfully from the Branch.

That even the persons who were employed later on i.e. after the appointment of the workman, were confirmed on their respective posts but the workman was neglected and has not been confirmed on the post, till date even inspite of his representations submitted with the management from time to time, for the reasons best known to the management.

That keeping in view the span of regular working of the workman with the management of Bank, the workman is entitled to be confirmed on the post held by the workman. Further he is entitled to seniority from these employees who were appointed after the appointment of workman, but his requests for the same was turned down due to malice against him by the management.

The management has filed written statement. In the written statement it has been stated that the workman was never employed as Peon as claimed by him in this Para. It is respectfully submitted that the management herein is a Nationalised Bank and recruitment to all posts made in the Bank in violation of the Recruitment Rules. The workman herein has never been appointed as a peon. He may be put to strict proof of his averments. It is further submitted that the workman has also never been appointed on daily wage basis by the management. The workman may be put to strict proof of his averments.

The workman may be put to strict proof to substantiate his averments made in this Para. It is specifically denied that any such assurance was given to the workman by the management to confirm him at any point of time. It is already denied that the workman was ever appointed in the bank so the question of any assurance for confirmation to the post does not arise. Para 4 of the claim petition is wrong and denied. The workman may be put to strict proof of his averment.

The workman applicant has not filed rejoinder. He was absent on several dates. He has not even filed affidavit in support of his claim statement. The workman has failed to prove his claim statement.

The reference is replied thus :—

The action of the management of State Bank of Indore, M-94, M-Block, Connought Circus, New Delhi in terminating the services of Shri Lalit, Peon w.e.f. 04-01-2000 is justified. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Date : 09-09-2005.

R. N. RAI, Presiding Officer

नई दिल्ली, 22 सितम्बर, 2005

का. आ. 3789.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ बिकानेर एण्ड जयपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II, नई दिल्ली के पंचाट (संदर्भ संख्या आई. डी.-37/1998 को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-09-2005 को प्राप्त हुआ था।

[सं. एल-12011/39/96-आईआर (बी-I)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 22nd September, 2005

S.O. 3789.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID. No. 37/1998) of the Central Government Industrial Tribunal/Labour Court, New Delhi now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of Bikaner and Jaipur and their workman, which was received by the Central Government on 21-09-2005.

[No. L-12011/39/96-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II,**

**RAJENDRA BHAWAN, GROUND FLOOR,
RAJENDRA PLACE, NEW DELHI**

PRESIDING OFFICER : R.N. RAI

I.D. No. 37/1998

IN THE MATTER OF :—

The General Secretary,
State Bank of Bikaner &
Jaipur Employees Union,
4/90, Connought Circus,
New Delhi-110001.

Versus

The Regional Manager,
State Bank of Bikaner & Jaipur,
Zonal Office,
Ahinsha Bhawan,
Shankar Road,
New Delhi-110 005.

AWARD

The Ministry of Labour by its letter No. L-12011/39/96-IR (B-I)) Central Government dt. 03-02-1998 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the action of the management of State Bank of Bikaner and Jaipur in not absorbing the remaining 21 workmen figuring in the list of 70 successful candidates (ALPM Operators in 1985) against the vacancies existing now, is fair, justified and legal? If not, what remedies their workmen are entitled to.”

The workmen through its General Secretary have filed statement of claim. In the statement of claim it has been stated that the Bank has conducted a Aptitude test of the employees from Delhi/New Delhi Branches willing to be selected and posted as Ledger Posting Machine Operators (LPMO). (Copy of the Circular issued by the Bank enclosed marked to Annexure-I).

That out of the Aptitude Test—employees selected are being waitlisted on the basis of seniority through a list containing the names of 70 (Seventy) employees (Copy enclosed marked as Annexure-II) and out of them 47 employees are posted in different branches, the latest being Shri Parveen Kumar Jain, Chandni Chowk, Delhi Branch whose names stands at Sl. No. 47 of the waiting list.

That all the employees as mentioned above upto Sl. No. 47 posted as LPMO were upgraded to computer operators w.e.f. 1st June 1995 in terms of the 6th Bio. Settlement and computer operator allowance is being paid to them. (Copy enclosed marked as Annexure-III and III A).

That all the employees from the waiting list were imparted training through outside agencies at Bank's cost and also at different time they were deputed for having special training programmes at staff training college of the Bank.

Copies of Training letters of different workmen whose names stands in the waitlist enclosed marked as :

- | | | |
|---------------------|---------------|---------------|
| 1. Sh. R.P. Malik | Chandni Chowk | Annexure-IV-A |
| 2. Sh. Balesh Kumar | -do- | Annexure-IV-B |
| 3. Sh. Om Prakash | -do- | Annexure-IV-C |
| 4. Sh. Meena Gupta | -do- | Annexure-IV-D |

5. Sh. K.M. Agarwal	Janak Puri	Annexure-IV-E
6. Sh. S.C. Khare	Chandni Chowk	Annexure-IV-F
7. Sh. Om Prakash	Karol Bagh	Annexure-IV-G
8. Sh. Suresh Kumar	-do-	Annexure-IV-H
9. Sh. Ashok Kumar	C. Circus, N. Delhi	Annexure-IV-I

That now management has issued a letter (copy enclosed marked as Annexure-V) identifying 27 vacancies in different branches and asking the employees to give their consent on the prescribed format (copy enclosed marked as Annexure-V-A) to select and post as computer operators.

That the action of the management in not absorbing the 21 workmen as computer operators is unwarranted, unjustified and against. All norms and procedures because whenever permanent incumbent LPMO/Computer Operator posted in a particular branch proceeds on leave then employees from the waitlist posted in the same branch was asked to perform the duties of computer operator and not the employee whose chance stands on the basis of branch-wise-seniority. (Copy of the management letter issued to Branch Manager of Nangal Raya enclosed as Annexure-VI). That management while preparing the waitlist never declared the period of validity of the waitlist nor issued any instructions scraping the same.

The management has filed written statement. In the written statement it has been stated that the Union is not recognized by the Bank and has no locus standi to file the present claim.

That the post of ALPMOs was abolished vide settlement dated 29-10-1993 arrived between IBA and the Unions at Industry level as such at present there is no such post as ALPMO, thus the question of absorption of the employees as stated in the statement of claim does not arise.

It is submitted that the contents of Para 3 of the statement of claim as stated are not admitted. It is to submit that by virtue of letter dated 03-06-1995, which is admitted in toto by the claimants, in furtherance of settlement herein above mentioned, the then existing all permanent ALPMOs working in the Bank were converted to Computer Operators w.e.f. 1st June, 1995. It was categorically stipulated in the letter that the above said exercise shall be once only, all future entrustment of duties of computer operators shall be made from amongst those candidates who qualify in the aptitude test to be conducted by the Bank. It may be elaborated that consequent upon the industry level settlement dated 29-10-1993 on computerization and mechanization, the posts of ALPMOs were abolished. The said agreement envisaged only two types of operators of machines viz. Data Entry Operators and Computer Operators. While the special allowance prescribed, as per old settlement for ALPMOs was Rs. 350/ per month, the allowance for computer operator (new post created) as per the letter settlement dated 29-10-1993 was fixed at Rs. 410 per month. The new agreement/settlement dated

29-10-1993 provides that existing permanent ALPM operators shall have preference to be computer operators subject to the rules prescribed for selection and posting of computer operators. Accordingly, the recognised union in our bank to which the above union is also affiliated, had raised a demand for conversion of the then existing ALPMOs and had also repeated the demand. The demand was accordingly considered and all the then existing permanent ALPMOs as on 01-06-1995 were converted as computer operator and advised to the Union vide letter dated 03-06-1995. Thus only those, who were in the wait list were not covered and were not entitled for conversion absorption as computer operators and therefore, the union has no right to raise the dispute and claim for conversion of waitlisted ALPMOs who were not permanent ALPMO as on 01-06-1995.

That the claimant has no right, whatsoever, in decision making policy of the Bank, this power only lies with the management, more so, imparting training to its employees is a continuous process. It is submitted that imparting training to its employees is an activity for improving their efficiency. However, it does not confer any right to an employee to claim lien over any permanent post/benefits. therefore, the wait-listed empanelled ALPMOs have no claim and right for being absorbed as computer operators a newly created post vide settlement dated 29-10-1993 and the claim deserves to be dismissed.

The decision of the management in advertising or inviting applications for the post of computer operators is legal and valid under the law and cannot be challenged under these proceedings. The union has no right whatsoever to interfere in the decision making power of the management. Since there is no post of LPMOs in existence, therefore, the statement of claim is not sustainable.

It is to submit that the claimant has not made it clear, whether he is asking a relief against LMPOs or Computer Operators. The management reserves its right to make comments on this para only after the clarification of the para by the claimant. It seems from the statement of claim that the relief sought by the claimant is against LMPOs and not against the computer operators. It is further submitted that for the convenience of the employees, the bank asks to wait listed employees in the same branch since it is very difficult to call an employee who is posted in a different branch, since the same is only for a day or so as the work is created due to going on leave by the employee as stated in this para. Moreover, some time the application/information to leave is being received by the branch only in the morning and in that case, it is not only impossible but impracticable also. The management is carrying on the present system as per circular order No. PER/43/11/T61 dated 17-01-1987. Merely their working as stand by ALPMO does not entitle them for absorption as computer operators, as only the permanent ALPMOs as on 01-06-1995 were upgraded/converted as computer operator as per agreement with the recognized union.

As per law the validity period lapse after a period of three years as per Limitation Act. It is wrong and hence denied. It is submitted that it lapsed automatically with the new settlement dated 29-10-1993 where by the posts of ALPMOs were abolished and the Bank took the decision, in agreement with the Union, to convert all permanent ALPMOs as Computer Operators.

With the abolition of post of ALPMOs and the one time conversion of all the existing permanent ALPMOs as computer operators w.e.f. 01-06-1995, the bank's action for preparing a panel for computer operators as per policy agreed with the Union and as advised vide bank's letter dated 03-06-1995 was justified and in order.

It is the prerogative of management to abolish or close down any post as it thinks fit and proper for the betterment of the bank and the claimants have no right to interfere in the same. However, the claimants have right to apply for selection for the post of computer operators subject to fulfilment of their qualification and the management will definitely give them chance for the same. It is submitted that the validity of the waitlist of ALPMOs automatically ceased to exist consequent upon the bank's decision to convert all the then existing permanent ALPMOs as on 01-06-1995 as computer operators. This was as per the demand of the union and consequent to an agreement as per the minutes of the meeting of sub-committee on computerization dated 7th May, 1985 in which the representatives of the union also participated as its members as the post of ALPMOs were abolished with the implementation of the industry level settlement dated 29-10-1993.

No rejoinder has been filed. It transpires from personal of the order sheet that the management has not filed written statement and the case has proceeded to ex-parte but subsequently the management appeared and filed written statement but no rejoinder has been filed to the written statement of the management. It is also pertinent to mention that wrong order sheet has been written on 18-04-2002 in the previous Tribunal/Court for filing affidavit as no rejoinder has been filed. No affidavit of the workman applicants has been filed still the case has been posted for cross examination in the previous Court/Tribunal. Wrong order sheet has been carried on. It becomes quite obvious that the union has not filed rejoinder and he has not even filed affidavit on 04-08-2005. Both the parties were present but on 24-08-2005 none of the parties were present so the case was posted for award.

Rejoinder and affidavit are not necessary in the facts and circumstances of the case. The case depends upon the documentary evidence. The claim statement has been filed for absorption of 21 workmen against the vacancies of Computer Operators. There is list of 70 candidates. The rest have been absorbed. The remaining 21 candidates have not been absorbed. The case of the management is that the post of ALMPO was abolished vide settlement dated 29-10-1993 arrived between the IBA and the Union at

Industry level so there is no post of ALMPO and so the employees cannot be absorbed. It has been also stated in the written statement that the agreement was reached at on 29-10-1993 and the post of ALMPOs was abolished so there is no question of absorption of the remaining 21 wait listed candidates for posting as ALMPOs or Computer Operators. The management has advertised the post of Computer Operator in view of the changed mechanism. The post of ALMPOs is not existence so the statement of claim is not sustainable. It is also submitted that three years have elapsed and the waiting list is no longer in force. It is the right of the Government to create or abolish posts. In the present case the posts have been abolished in agreement between the management and the Union so the remaining 21 candidates figuring the list of 70, successful candidates for posting as ALMPOs does not arise. The names in the waiting list does not confer any right. The candidates have not joined the post and those posts have been abolished so the management cannot be compelled to create those posts afresh. The candidates are not entitled to be absorbed as prayed for. They have not filed any affidavit or rejoinder.

The reference is replied thus:—

The action of the management of State Bank of Bikaner and Jaipur in not absorbing the remaining 21 workmen figuring in the list of 70 successful candidates (ALMPO Operators in 1985) against the vacancies now is fair, justified and legal. The workmen are not entitled to get any relief as prayed for.

The award is given accordingly.

Dated: 16-09-2005. R. N. RA1, Presiding Officer

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3790.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II नई दिल्ली के पंचाट (संदर्भ संख्या कम्प्लेन्ट-1/02 (आई. डी. 106/91) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-9-2005 को प्राप्त हुआ था।

[सं. एल-12014/3/2005-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th September, 2005

S.O. 3790.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Complaint No. 1/02 (ID. No. 106/91) of the Central Government Industrial Tribunal/Labour Court, II, New Delhi now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 28-9-2005.

[No. L-12014/3/2005-IR (B-I)]

AJAY KUMAR Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II,
RAJENDRA BHAWAN, GROUND FLOOR,
RAJENDRA PLACE NEW DELHI**

**Presiding Officer : R.N. RAI Complaint No. 1/2002
connected with I.D. No. 106/1991**

IN THE MATTER OF:-

Shri Ishwar Lal,
3 Old Housing Board Colony,
Rohtak-124001 (Haryana).

Versus

State Bank of India,
Through its Regional Manager,
Haryana Region-II (Now Region-III),
Sector-8/C, Chandigarh-160008.

**COMPLAINT No. 1/2002 UNDER SECTION 33A OF
ID ACT, 1947 CONNECTED DIFFERENCE 106/1991**

The complainant has filed complaint under Section 33A of ID Act, 1947. The complainant complains that the opposite party is guilty of the provisions of Section 33 of ID Act, 1947 as shown below :—

1. That services of the workman complainant have been terminated by a letter dated 30-7-1985 (Ex. M-22 not served).
2. That the opposite party has not sought permission of the authority (Assistant Labour Commissioner (C), Rohtak) where a case No. 7(39)/85-ALC was pending fixed for rejoinder on 5-8-1985 (Ex. M-35 and Ex. M-33), in accordance with Section 33(2) (b) of the ID Act, 1947 to enforce the dismissal order against the complainant.
3. That the dismissal order is for frivolous reasons and the dismissal order is mala fide with a view to get rid over the complainant. The complainant being innocent has been falsely implicated in petty charges levelled in counter to the workman had raised a dispute before the ALC against wrongful and mala fide transfer in violation of Bank's Transfer policy. The order has been passed on false charges and without a proper and fair inquiry as proved in the related ID case. The complainant has not been paid one month's salary along with dismissal order which is a condition precedent.
4. That it is pertinent to state here that the dismissal order has been passed by the opposite party management in attempt to get rid of the complainant before the matter can be finalized, and the dismissal of the complainant is victimization done with an ulterior motive. Affidavit enclosed.

5. That the complainant claims reinstatement with full back wages and continuity of service and the setting aside of the order of dismissal with retrospective effect 30-7-1985 (M-22) which amounts to a victimization of an old worker without payment of any benefits.

6. That the complainant accordingly prays that the Hon'ble Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The Management has filed objections. In the objections it has been stated that :—

1. That Shri Ishwar Lal had filed this false complaint under Section 33A of the ID Act, for alleged contravention of the provisions of Section 33 of the ID Act, during pendency of proceedings in the case No. 7(39)/85 ALC pending before the Conciliation Officer, Assistant Labour Commissioner (C), Rohtak as on 30-7-1985.
2. That in view of the provisions of Section 33A of the ID Act, for any alleged contravention of the provisions of Section 33 by the management, such application can be filed only before the authority, before whom the proceedings were pending at the time of contraventions of the provisions of Section 33 of the Act.
3. That in view of the provisions of Section 33A, this complaint made by Shri Ishwar Lal is not maintainable before this Hon'ble court for want of jurisdiction. This is misuse of process of law by Shri Ishwar Lal dragging the management in false litigation.
4. That the Hon'ble Tribunal had rightly ignored this complaint at the time of passing award in ID No. 106/91, as the Hon'ble Tribunal has no jurisdiction to entertain, try and decide this false complaint.

In view of the aforesaid submissions, it is requested that the present application made by Shri Ishwar Lal for reopening the complaint as well as Original Complaint No. 1/2002 may please be dismissed with cost, as the same is false and frivolous.

The complainant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim application.

Heard argument from both the sides and perused the papers on the record.

The service of the complainant was terminated by letter dated 30-7-1985, the ID case as in referred to ID case No. 16/91, that case has been decided. The workman applicant has been reinstated. The workman applicant has filed this complaint in 2002 just 17 years after the reference. Limitation Act is not applicable to the ID cases but the Hon'ble Supreme Court has held that stale cases should not be encouraged and no premium is permissible for

inactivity. The complainant has not explained as to how and why he has filed this complaint after 17 years. When the case was pending before the ALC(C) his services were terminated. He did not file the complaint there. The complaint should be filed before the authority where the services have been terminated. He should have filed the complaint before the ALC(C) when his services were terminated but he did not file that application. The reference has been adjudicated upon in 2004. The complaint is to be decided as a reference. It is settled law that a complaint is to be filed before the authority where services have been terminated. The workman applicant should have filed this complaint before the ALC(C) as according to his allegations his services were terminated while the case was pending before the ALC(C) but he kept silent for 17 years and after 17 years he has moved complaint under Section 33A of the ID Act. The complaint is highly belated. Such stale complaint cannot be encouraged. Limitation Act is not applicable to ID cases. It does not imply that a complaint can be entertained after a lapse of 17 years. He has to explain the delay but he has not explained the delay. He should have filed a complaint before the ALC(C) but he has not done so, so the complaint is liable to be dismissed as it is highly belated.

ORDER

The complaint under Section 33-A of Industrial Dispute Act, is dismissed.

Date: 21-9-2005

R. N. RAI, Presiding Officer

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3791.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सैन्ट्रल रेलवे के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या आईडी-151/1995 को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-09-2005 को प्राप्त हुआ था।

[सं. एल-41012/127/1994-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th September, 2005

S.O. 3791.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D. 151/1995) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Central

Railway and their workman, which was received by the Central Government on 28-09-2005.

[No. L-41012/127/1994-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/151/95

PRESIDING OFFICER:

SHRI C. M. SINGH

Shri P.K. Warner, Chairman,
Central Railway Mazdoor Sangh,
Head Branch Jabalpur,
Sangh Bhavan, D.R.M. Office Campus,
Jabalpur. Workman

Versus

The Divisional Railway Manager,
Central Railway,
Jabalpur. Management

AWARD

Passed on this 23rd day of September 2005

The Government of India, Ministry of Labour vide its Notification No. L-41012/127/94-I.R. (B-I) dated 28-8-95 has referred the following dispute for adjudication by this tribunal :—

“क्या प्रबंधन रेलवे, जबलपुर (म.प्र.) के प्रबंधकों द्वारा श्री मोहन लाल तेनीराम फायरमेन को फायरमेन के वेतनमान रु. 950-1500 से लोवर स्केल वेतनमान रु. 825-1200 में पदावनत किये जाने की कार्यवाही न्यायोचित है। यदि नहीं तो संबंधित कर्मकार कि अनुतोष का हकदार है ?”

2. The case of workman Shri Mohanlal in brief is as follows. That he was posted as Fireman in the scale of Rs. 950-1500 (RPS) under the management of Divisional Railway Manager, Central Railway, Jabalpur (M.P.). He had Completed near about 26 years service on 24-4-88, the date on which he was wrongfully reverted from the pay scale of Rs. 950-1500 to Rs. 800-1250. Prior to the date of reversion, the workman was issued a charge-sheet dated 9-7-86 by the management for picking up quarrel with one Shri A.K. Naidu, clerk at Loco Jabalpur and without any enquiry or examination of any witness the workman was removed from service w.e.f. 16-4-87 vide D.M.E., Jabalpur order dated 10-4-87. The workman appeared against order dated 10-4-87 whereby his service was terminated. The management

rejected the appeal vide their order dated 22-7-87. Thereafter the workman filed review application dated 18-8-87 before COPS, Bombay who vide order dated 24-4-88 ordered to take the workman on duty on reversion from the scale of Rs. 950-1500 to Rs 825-1250 treating his service as of a new entrant. Thus the workman was doubly punished, one by his reversion and the other treating him a new entrant. The plea taken by the workman are as under. That he was under sicklist on the alleged date of quarrel with Shri Naidu and was not on duty. That the management failed to supply the copy of complaint, statement of witnesses, police report regarding quarrel, medical report regarding drunkenness of delinquent servant upon which the allegations of misconduct were framed against the workman and the chargesheet issued. That the complainant and witnesses were not examined by the Enquiry Officer. The workman was not given proper opportunity to submit his defence and no enquiry was held. The management's order for reversion and fixing lower pay @ Rs. 825/- treating him as a new entrant and washing away his 26 years past service is quite unconstitutional and amounts to double punishment. It is prayed by the workman that this tribunal be pleased to pass the order treating applicant's reversion from the scale of Rs. 950-1500 to the scale of Rs. 825-1250 and treating him as a new entrant is not legal. It is also prayed by the workman that the management's order dated 29-4-88 and 10-4-88 be quashed as being unconstitutional and unlawful. It is further prayed by him that he be treated as fire-man in the scale of Rs 950-1500 and the entire past service be counted for all purposes.

3. The management contested the reference and filed their written statement. It has been denied by the management that the workman was wrongly reverted and he was doubly punished. The pleadings of the management in brief are as follows. The workman was appointed as YKC on 20-5-61 and was removed from service w.e.f. 16-7-87 while he was working as fire-man in the grade of Rs. 950-1500. The workman himself admitted that he was not in his senses during the altercation which took place between Shri Naidu, the complainant and himself. He also confessed in writing that the incident of misconduct levied against him took place as narrated in the charge-sheet. A charge-sheet dated 9-7-86 was issued to workman for misconduct and after considering all the facts and circumstances, he was removed from service. That on his preferring revision/appeal, the competent authority while deciding his revision/appeal took a lenient view and appointed him as fire-man 'B' in the grade of Rs. 825-1200 at the minimum of Rs. 825/- per month w.e.f. 24-4-88 as a

fresh entrant for all purposes. It has been pleaded by the management that it is immaterial that the workman was on duty at the time of committing misconduct with Shri Naidu or not. That he was in Railway service and as a Railway servant, he committed serious misconduct under Railway Conduct Rules. The workman himself requested the management not to hold enquiry against him and that he did not want to defend himself. He further confessed that the offence committed by him was of serious nature involving creating nuisance and violative of the disciplinary norms and therefore he was punished for the same and was removed from service. It has been prayed by the management that the reference be answered in favour of management and the workman is not entitled to get any relief.

4. On 21-9-2005, the following issues were framed upon the pleadings of the parties :—

(i) Whether the Departmental Enquiry conducted against the workman is legal and proper?

(ii) To what relief, if any, is the workman entitled to?

5. The management in order to prove that the Departmental Enquiry conducted against the workman is legal and proper, examined Shri Laxmi Narayan Jamnotia (MW-I), the then retired Loco Inspector Enquiry, Central Railway, Jabalpur. Against the above, the workman in order to prove that the Departmental Enquiry conducted against him is not proper and legal, examined himself as WW-I.

6. The management in support of their case filed certain documents on record which are actually the Photostate copies of the original. The workman did not adduce any documentary evidence. The copies of the documents filed by the management shall be referred in the body of this award at the appropriate places where the need be.

FINDINGS

7. *Issue No. 1* : This issue has been decided by my learned predecessor in office on 15-7-03 as preliminary issue and recorded the finding that the Departmental Enquiry conducted against the workman is legal and proper. Issue No. 1 has been decided accordingly in favour of the management and against the workman. The findings on this issue shall form the part of this award.

8. *Issue No. 2* : I have heard Shri S.K. Mishra Advocate, the learned counsel for workman and Shri Shailesh Mishra Advocate, the learned counsel for the management. I have very carefully gone through the entire evidence on record. It has been submitted by the learned counsel for the workman that by way of punishment, he

has been reverted from the pay scale of Rs. 950-1500 to the scale of Rs. 825-1200 in lower grade fixing his basic at Rs. 825 treating him as a new entrant in service which has resulted in washing away his past service of about 26 years and in this manner, he has been doubly punished i.e. removed from service and reverted to a lower grade as a fresh entrant. Against it the learned counsel for the management submitted that the above contention of the learned counsel for the workman has no substance as on the basis of Departmental Enquiry, the Disciplinary Authority vide order dated 10-4-87 removed the workman from service. On workman's preferring appeal and thereafter revision against the penalty of removal from service, Shri M.B. Taly, Chief Operating Superintendent Bombay V.T. (the Competent Authority) taking lenient view reverted the workman in the grade of Rs. 825-1200 at the minimum of Rs. 825 per month w.e.f. 24-4-88 as a fresh entrant for all purposes. The learned counsel for the management submitted that in this way the management instead of removing the workman awarded him a mild punishment and under the circumstances, it cannot be held that the workman has been doubly punished for the misconduct committed by him. The above contention of the learned counsel for the management has force.

9. The learned counsel for the workman submitted that considering the facts and circumstances of this case, it is requested to exercise the jurisdiction under Sec. 11-A of the Industrial Dispute Act 1947 (hereinafter referred as Act only) to award lesser punishment than already awarded to the workman and his 26 years of past services be counted for all purposes. The learned counsel for the management vehemently opposed the request made by the learned counsel for the workman. He submitted that under the facts and circumstance of this case, the tribunal is requested not to exercise its jurisdiction under Section 11-A of the Act for awarding lesser punishment than already awarded to the workman. In this respect, he placed reliance on 1998 (1) LLJ-431 in the case of Union of India and Ors. versus Srivastava B.K. I have very carefully gone through the law cited above. It has been held therein that if the Departmental Enquiry conducted is fair and legal and there has been exercise of power by the Disciplinary and Appellate Authority, the tribunal should stay away its hand. That it is no part of function of the tribunal to substitute its own decision when enquiry is held in accordance with rules and the punishment is imposed by the authorities considering all the relevant circumstances and which it is entitled to impose. The learned counsel for the management also placed reliance on 1995-I-LLJ-1065 in the case of Shri A.M. Ishwarchar versus Executive Engineer, Electrical wherein the Hon'ble

High Court of Karnataka held that under the guise of sympathy there can be no compromise in case of gross indiscipline. That sympathy will be shown in appropriate cases and the courts in this country have frequently observed that sympathy results in miscarriage of justice.

10. Having considered the facts and circumstances of this case, I am of the considered opinion that it is not a fit case in which a lesser punishment than already awarded to the workman be awarded to him.

11. In view of the above, it is concluded that the action of Managers of the management of Central Railway, Jabalpur (MP) in reverting Shri Mohan Lal Teniram, Fireman from the pay scale of Rs. 950-1500 to a lower scale of Rs. 825-1200 is justified and as a result thereof the concerned workman is not entitled to any relief. Issue No.2 is decided accordingly in favour of management and against the workman.

12. In view of my findings on Issue No.2, the reference is answered in favour of the management and against the workman with the clear conclusion that the concerned workman is not entitled to any relief. The parties shall bear their own cost of this reference.

13. Copy of the award be sent to the Govt. of India, Ministry of Labour as per rules.

C. M. SINGH Presiding Officer

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3792.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंदौर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या आईडी-158/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/106/2003-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th September, 2005

S.O. 3792.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I.D. No. 158/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of Indore and their workman, which was received by the Central Government on 28-09-2005.

[No. L-12012/106/2003-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****NO. CGIT/LC/R/158/2003****RESIDING OFFICER:****SHRI C. M. SINGH**

The General Secretary,
Daily Wages Bank Employees Association,
9, Sanwer Road,
Ujjain (MP)

....Workman/Union

Versus

The General Manager, (Operations),
State Bank of Indore,
Head Office,
5, Yeshwant Niwas Road,
Indore (MP)

....Management

AWARD

Passed on this 21st day of September 2005

The Government of India, Ministry of Labour
vide its Notification No. L-12012/106/2003-I.R. (B-I)
Dated 03/15-9-2003 has referred the following dispute
for adjudication by this tribunal :—

"Whether the action of the management of
General Manager (O), State Bank of Indore in
not regularising the services of Shri Raj kumar
Indorey w.e.f. 1996 and not paying him bonus is
justified? If not, to what relief the workman is
entitled for?"

2. In this reference case, Shri Ram Nagwansi,
General Secretary, Daily Wages Bank Employees
Association moved an application dated 15-9-05 with
the prayer that No Dispute Award be passed in this
reference as the applicant is not taking any interest in
the prosecution of this reference. The counsel for the
management submitted that the management has no
objection if the aforesaid prayer of the Union/ workman
is accepted. He made endorsement to the effect of "No
Objection" on the aforesaid application moved by Shri
Ram Nagwansi, General Secretary, Daily Wages Bank
Employees Association.

3. It is clear from the above that the Union/
workman is not interested in prosecuting this reference
and therefore it shall be just and reasonable to pass a
No Dispute Award in this case.

4. In view of the above, No Dispute Award is
passed in this reference without any order as to costs.

5. Copy of the award be sent to the Govt. of India,
Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3793.—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार
स्टेट बैंक आफ इंडिया के प्रबंधन के संबद्ध नियोजकों और
उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद
में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर
के पंचाट (संदर्भ संख्या आईडी-46/2004) को प्रकाशित करती
है, जो केन्द्रीय सरकार को 28-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/216/2003-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th September, 2005

S.O. 3793.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the Central
Government hereby publishes the award (I.D. No.
46/2004) of the Central Government Industrial
Tribunal-cum-Labour Court, Jabalpur now as shown
in the Annexure, in the Industrial Dispute between the
employers in relation to the management of State Bank
of India and their workman, which was received by the
Central Government on 28-09-2005.

[No. L-12012/216/2003-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****NO. CGIT/LC/R/46/2004****PRESIDING OFFICER:****SHRI C. M. SINGH**

The General Secretary,
Daily Wages Bank Employees Association,
9, Sanwer Road,
Ujjain (MP)

....Workman/Union

Versus

The Dy. General Manager,
State Bank of India,
Local Head Office,
Hamidia Road,
Bhopal (MP)

....Management

AWARD

Passed on this 21st day of September, 2005

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/216/2003-I.R. (B-I) Dated 5-4-04 has referred the following dispute for adjudication by this tribunal :—

"Whether the action of the management of Dy. General Manager, State Bank of India in terminating the services of Shri Chandrasekhar Shrivastava w.e.f. 21-5-98, not regularising the services of the workman and not paying him the bonus payment is justified? If not, to what relief the workman is entitled for?"

2. In this reference case, Shri Ram Nagwansi, General Secretary, Daily Wages Bank Employees Association moved an application dated 16-9-05 with the prayer that No Dispute Award be passed in this reference as the applicant is not taking any interest in the prosecution of this reference. The counsel for the management submitted that the management has no objection if the aforesaid prayer of the Union/workman is accepted.

3. It is clear from the above that the Union/workman is not interested in prosecuting this reference and therefore it shall be just and reasonable to pass a No Dispute Award in this case.

4. In view of the above, No Dispute Award is passed in this reference without any order as to costs.

5. Copy of the award be sent to the Govt. of India, Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3794.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंदौर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या आईडी-168/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/145/2003-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 29th September, 2005

S.O. 3794.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D

168/2003) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of Indore and their workman, which was received by the Central Government on 28-09-2005.

[No. L-12012/145/2003-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/168/2003

Presiding Officer : Shri C. M. Singh

The General Secretary,
Daily Wages Bank Employees Association,
9, Sanwer Road,
Ujjain (MP) Workman/Union

Versus

The General Manager, (Operations),
State Bank of Indore,
Head Office,
5, Yeshwant Niwas Road,
Indore (MP) Management

AWARD

Passed on this 21st day of September 2005

The Government of India, Ministry of Labour vide its Notification No. L-12012/145/2003-I.R. (B-I) Dated 22/27-10-2003 has referred the following dispute for adjudication by this tribunal :—

"Whether the action of the management of General Manager (O), State Bank of Indore, Indore in terminating the services of Shri Mukesh Maheshwari w.e.f. April, 1999 and not regularising his services is justified? If not, what relief the workman is entitled for?"

2. In this reference case, Shri Ram Nagwansi, General Secretary, Daily Wages Bank Employees Association moved an application dated 15-9-05 with the prayer that No Dispute Award be passed in this reference as the applicant is not taking any interest in the prosecution of this reference. The counsel for the management submitted that the management has no objection if the aforesaid prayer of the Union/workman is accepted. He made endorsement to the effect of "No Objection" on the aforesaid application moved by Shri Ram Nagwansi, General Secretary, Daily Wages Bank Employees Association.

3. It is clear from the above that the Union/workman is not interested in prosecuting this reference and therefore it shall be just and reasonable to pass a No Dispute Award in this case.

4. In view of the above No Dispute Award is passed in this reference without any order as to costs.

5. Copy of the award be sent to the Govt. of India Ministry Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3795.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंदौर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या आईडी-79/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/296/2002-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 29th September, 2005

S.O. 3795.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D. 79/2003) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of Indore and their workman, which was received by the Central Government on 28-09-2005.

[No. L-12012/296/2002-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/79/2003

Presiding Officer : SHRI C. M. SINGH

Shri General Secretary,
Daily Wages Bank Employees Association,
9, Sanwer Road,
Ujjain (MP)

....Workman/Union

Versus

The General Manager (Operations),
State Bank of Indore,
Head Office,
5, Yeshwant Niwas Road,
Indore (MP)

....Management

AWARD

Passed on this 21st day of September, 2005

The Government of India, Ministry of Labour vide its Notification No. L-12012/296/2002-I.R. (B-I) Dated 28-3-2003 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of General Manager (O), State Bank of Indore in not regularising the services of Shri Santosh Verma and non-payment of bonus is justified? If not, to what relief the workman is entitled for?”

2. In this reference case, Shri Ram Nagwansi, General Secretary, Daily Wages Bank Employees Association moved an application dated 15-09-05 with the prayer that No Dispute Award be passed in this reference as the applicant is not taking any interest in the prosecution of this reference. The counsel for the management submitted that the management has no objection if the aforesaid prayer of the Union/ workman is accepted. He made endorsement to the effect of “No Objection” on the aforesaid application moved by Shri Ram Nagwansi, General Secretary, Daily Wages Bank Employees Association.

3. It is clear from the above that the Union/ workman is not interested in prosecuting this reference and therefore it shall be just and reasonable to pass a No Dispute Award in this case.

4. In view of the above, No Dispute Award is passed in this reference without any order as to costs.

5. Copy of the award be sent to the Govt. of India, Ministry of Labour as per rules.

C. M. SINGH Presiding Officer

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3796.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंदौर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या आईडी-82/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/294/2002-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 29th September, 2005

S.O. 3796.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D. 82/2003) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of Indore and their workman, which was received by the Central Government on 28-09-2005.

[No. L-12012/294/2002-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/82/2003

PRESIDING OFFICER : SHRI C. M. SINGH,

The General Secretary,
Daily Wages Bank Employees Association,
9, Sanwer Road,
Ujjain (MP)

....Workman/Union

Versus

The General Manager (Operations),
State Bank of Indore,
Head Office,
5, Yeshwant Niwas Road,
Indore (MP)

....Management

AWARD

Passed on this 21st day of September 2005

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/294/2002-IR (B-I) Dated 28-3-2003 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of General Manager (O), State Bank of Indore in not regularising the services of Shri Munna Lal Verma is justified? If not, to what relief the workman is entitled?”

2. In this reference case, Shri Ram Nagwansi, General Secretary, Daily Wages Bank Employees Association moved an application dated 15-9-05 with the prayer that No Dispute Award be passed in this reference as the applicant is not taking any interest in the prosecution of this reference. The counsel for the management submitted that the management has no objection if the aforesaid prayer of the Union/workman is accepted. He made endorsement to the effect of “No Objection” on the aforesaid application moved by

Shri Ram Nagwansi, General Secretary, Daily Wages Bank Employees Association.

3. It is clear from the above that the Union/workman is not interested in prosecuting this reference and therefore it shall be just and reasonable to pass a No Dispute Award in this case.

4. In view of the above, No Dispute Award is passed in this reference without any order as to costs.

5. Copy of the award be sent to the Govt. of India, Ministry of Labour as per rules.

C: M. SINGH, Presiding Officer

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3797.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंदौर के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या आईडी-160/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-09-2005 को प्राप्त हुआ था।

[सं. एल-12012/49/2001-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 29th September, 2005

S.O. 3797.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D. 160/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Indore and their workman, which was received by the Central Government on 28-09-2005.

[No. L-12012/49/2001-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/160/2001

PRESIDING OFFICER : SHRI C. M. SINGH

The General Secretary,
Daily Wages Bank Employees Association,
9, Sanwer Road,
Ujjain (MP)

....Workman/Union

Versus

The General Manager (Operations),
State Bank of Indore,
Head Office,
5, Yeshwant Niwas Road,
Indore (MP)

....Management

AWARD

Passed on this 21st day of September 2005

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/49/2001-IR (B-I) Dated 16-10-2001 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of General Manager (O), State Bank of Indore in not regularising the services of Shri Kishore Sahu is justified? If not, what relief the workman is entitled?”

2. In this reference case, Shri Ram Nagwansi, General Secretary, Daily Wages Bank Employees Association moved an application dated 16-9-05 with the prayer that No Dispute Award be passed in this reference as the applicant is not taking any interest in the prosecution of this reference. The counsel for the management submitted that the management has no objection the aforesaid prayer of the Union/ workman is accepted. He made endorsement to the effect “No Objection” on the aforesaid application moved by Shri Ram Nagwansi, General Secretary, Daily Wages Bank Employees Association.

3. It is clear from the above that the Union/ workman is not interested in prosecuting this reference and therefore it shall be just and reasonable to pass a No Dispute Award in this case.

4. In view of the above, No Dispute Award is passed in this reference without any order as to costs.

5. Copy of the award be sent to the Govt. of India, Ministry of Labour as per rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 29 सितम्बर, 2005

का. आ. 3798.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंदौर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या आईडी-188/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-9-2005 को प्राप्त हुआ था।

[सं. एल-12012/283/2001-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 29th September, 2005

S.O. 3798.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I.D. No. 188/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the

Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of Indore and their workman, which was received by the Central Government on 28-9-2005.

[No. L-12012/283/2001-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/188/2001

PRESIDING OFFICER : SHRI C. M. SINGH

The General Secretary,
Daily Wetan Bhogi Bank Karamchari Sangthan,
9, Sanwer Road, Hardeo Niwas
Ujjain (MP)

....Workman/Union

Versus

The General Manager, (Operations),
State Bank of Indore,
Head Office,
5, Yeshwant Niwas Road,
Indore (MP)

....Management

AWARD

Passed on this 21st day of September 2005

The Government of India, Ministry of Labour vide its Notification No. L-12012/283/2001-I.R. (B-I) Dated 7-12-2001 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of State Bank of Indore, Indore (MP) terminating the services of Shri Manish Mishra, Safaiwala of Raj Mohalla Branch working since 17-5-1991 to 13-11-1993 is justified? If not, what relief the workman is entitled?”

2. In this reference case, Shri Ram Nagwansi, General Secretary, Dainik Wetan Bhogi Bank Karamchari Sangthan moved an application dated 16-9-05 with the prayer that No Dispute Award be passed in this reference as the applicant is not taking any interest in the prosecution of this reference. The counsel for the management submitted that the management has no objection if the aforesaid prayer of the Union/ workman is accepted. He made endorsement to the effect of “No Objection” on the aforesaid application moved by Shri Ram Nagwansi, General Secretary, Dainik Wetan Bhogi Bank Karamchari Sangthan.

3. It is clear from the above that the Union workman is not interested in prosecuting this reference and therefore it shall be just and reasonable to pass a No Dispute Award in this case.

4. In view of the above, No Dispute Award is passed in this reference without any order as to costs.

5. Copy of the award be sent to the Govt. of India Ministry of Labour as per rules.

C.M. SINGH, Presiding Officer